

August 27, 2002

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby
Washington, DC 20554

Re: **Ex Parte Notification**
CS Docket No: 98-120

Dear Ms. Dortch:

On Friday August 23, 2002, Jeff Baumann, Jack Goodman, Karen Kirsch, Lynn Claudy and Valerie Schulte of NAB met with FCC General Counsel Jane Mago and OGC staff Joel Kaufman and Susan Aaron to discuss the statutory interpretation of the “primary video” language in the must carry statute as it relates to carriage of broadcast DTV signals, the purposes of must carry in relation to a broad definition of primary video and bandwidth requirements for HDTV and SDTV feeds in relation to cable’s ability to re-use spectrum stripped from a broadcast signal. (Also in attendance from a previous meeting were OGC staff Michele Ellison, Marilyn Sonn and Louis Peraertz.) The issues and arguments were covered as discussed in NAB’s Petition for Reconsideration in the above-referenced docket. Constitutional issues concerning “primary video,” as discussed in NAB’s August 5, 2002 ex parte communication containing the constitutional analysis by Jenner & Block, were also covered.

Sincerely yours,



Valerie Schulte

cc: Jane Mago
Joel Kaufman
Susan Aaron