NCTA
NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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July 25, 2003

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: CS Docket No. 98-120

Dear Ms. Dortch:

On July 24, 2003, Daniel Brenner, Michael Schooler and Diane Burstein of the National Cable & Telecommunications Association met with Johanna Mikes, Legal Advisor to Commissioner Adelstein. During our meeting, consistent with our written comments in the above-captioned proceeding, we argued that broadcasters should not be entitled to dual carriage during the transition and that the FCC should not grant broadcasters must carry rights for their digital broadcast signal until they have returned their analog spectrum. In addition, we discussed the cable industry's roll-out of high definition broadcast and cable programming, which in many markets includes carriage of a public television station's digital signal. Finally, we urged the Commission to adhere to its January 2001 ruling that interpreted "primary video" to mean a single digital video program stream.

Respectfully submitted,

/s/ Daniel L. Brenner

Daniel L. Brenner

cc: Johanna Mikes