

October 9, 2003

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 Wednesday, October 8, 2003, Jack Goodman, Karen Kirsch, Lynn Claudy and Valerie Schulte of NAB met with Tony Dale of Commission Martin's office to discuss the statutory interpretation of the "primary video" language in the must carry statute as it relates to carriage of broadcast DTV signals. Our presentation followed the discussion of these issues 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: Tony Dale