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November 18, 2003

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington D.C. 20554

**via ECFS**

**Re: American Cable Association (“ACA”); Notice of Ex Parte Presentation, MB  
Docket No. 03-124**

Dear Ms. Dortch:

Under 47 CFR § 1.1206(b), we electronically provide this notice of an ex parte oral presentation in MB Docket No. 03-124. On November 17, 2003, Matt Polka, President of ACA, and Christopher Cinnamon and Emily Denney of the law firm Cinnamon Mueller met with the following individuals: Marcia Glauberman and Barbara Esbin of the Media Bureau; James Bird and Neil Dellar, Office of the General Counsel; and Tracy Waldon of the Wireline Competition Bureau.

The purpose of our meeting was to discuss conditions proposed by various participants in this Docket, including those proposed by ACA in the Ex Parte letter filed October 17, 2003.

Concerning conditions proposed in ACA’s October 17 Ex Parte letter relating to retransmission consent for News Corp.- controlled broadcast stations, we emphasized that the conditions are intended to preserve a wide variety of retransmission consent arrangements with smaller cable operators, arrangements that News Corp. itself has described as “mutually beneficial.” As described in the October 17 Ex Parte letter, ACA’s retransmission consent conditions are not intended to lock the parties into any specific terms and conditions, nor to involve the Commission in deciding disputes over specific terms and conditions. Rather, the conditions are intended to restrain News Corp. from using its control over both retransmission consent rights and DirecTV to disadvantage smaller competitors of DirecTV.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_\_  
Emily A. Denney

cc:

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