



August 31, 2004

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20054

Re: Notice of Ex Parte Presentation

CS Docket Nos. 98-82, 96-85
MM Docket Nos. 92-264, 94-150, 92-51, 87-154
MB Docket No. 04-207
MB Docket No. 04-227

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, The America Channel, LLC ("The America Channel") hereby submits this notice of an oral ex parte presentation at the request of the Commission in the above- captioned docketed proceedings.

At the presentation The America Channel reiterated its position with respect to a la carte, as articulated in The America Channel's filed comments in matter no. 04-207.

The America Channel reviewed some of the items discussed in The America Channel's filed comments in matter no. 04-227. The America Channel reiterated its opinion that many of the industry's problems are related to the bundling practices of content conglomerates.

The America Channel further reiterated that it does not at this time advocate an overly regulatory approach, but rather a methodology for obtaining more information – which information could be used, among other things, *not* to penalize cable operators, but to provide a system which could allow both Congress and the Commission to develop incentives and rewards to cable operators that embrace diversity of content and programming competition including from independent networks.

The America Channel did not take a particular position with respect to cable horizontal and vertical ownership limits, but responded that a scorecard could assist the Commission in its examination of such issues.

The America Channel informed the Commission that discussions with key cable operators are ongoing.

Pursuant to 47 C.F.R. § 1.1206(b)(2), one copy of this notice has been filed electronically in the Commission's electronic comment filing system under each of the above docket numbers.

Respectfully submitted,

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