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October 13, 2004

***VIA ELECTRONIC FILING***

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

**Re: Notice of Ex Parte Presentation, CS Docket No. 97-80, PP Docket No. 00-67**

Dear Ms. Dortch:

On October 12, 2004, on behalf of Home Box Office, Inc. (“HBO”), Robert Zitter, Barbara Jaffe and Tom Woodbury of HBO, Steven Teplitz of Time Warner, Inc., and the undersigned met with Rick Chessen, Bill Johnson, Natalie Roisman, Steve Broeckert, and Mike Lance of the Media Bureau. The purpose of the meeting was to discuss the offerings of the HBO Subscription Video On Demand (“SVOD”) services, examples of which are depicted in the attached copies of “screens” of the service. We also discussed reasons why HBO’s SVOD services should be classified as “Copy Never” under the encoding rules adopted in the above-referenced proceedings, reiterating arguments made in prior pleadings submitted in the proceedings by HBO on April 28, 2003, March 10, 2004, and March 22, 2004.

Pursuant to section 1.1206(b)(2) of the Commission’s rules, an electronic copy of this letter is being filed electronically with the Office of the Secretary. Copies are also being served electronically on the Commission participants in the meeting and those staff members who are required to be served pursuant the Public Notice. Any questions concerning this submission should be addressed to the undersigned.

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.

Ms. Marlene Dortch

October 13, 2004

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Sincerely,

/s/

Benjamin J. Griffin

attachments

cc: Rick Chessen  
Bill Johnson  
Natalie Roisman  
Steve Broeckaert  
Mike Lance

WDC 355954v1

# HBO ON DEMAND

 **HBO Series**

**HBO Movies**

**HBO Specials**

**HBO Kids**



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 **TIME WARNER**  
CABLE



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**HBO ON DEMAND**



**HBO SERIES**

**◆ Curb Your Enthusiasm**

Da Ali G Show  
Deadwood™  
Sex And The City®  
The Sopranos®  
Six Feet Under®  
The Wire®



Larry David stars as...Larry David in this riotous comedy series in which the Seinfeld co-creator lands himself-and everyone around him-in various comical predicaments.

**HBO Series**

**HBO Movies**

**HBO Specials**

**HBO Kids**



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**HBO ON DEMAND**



**HBO SERIES**

**The Sopranos 54**

**The Sopranos 55**

**The Sopranos 56**



**The Sopranos 57**

**The Sopranos 58**

**The Sopranos 59**



While Christopher is away on business, the Sopranos crew plays a game of "telephone" with a rumor involving Adriana.



**The Sopranos**

**Six Feet Under**

**Curb Your Enthusiasm**

**Deadwood**



**Play**



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