

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Amend)	
47 C.F.R. Sections 76.64, 76.93 & 76.103)	RM No. 11203
)	
Retransmission Consent,)	
Network Non-Duplication, and)	
Syndicated Exclusivity)	

**OPPOSITION TO AMERICAN CABLE ASSOCIATION
PETITION FOR RULEMAKING
OF THE WALT DISNEY COMPANY**

This opposition is submitted on behalf of The Walt Disney Company (“TWDC”), ESPN, Inc. (80% owned by TWDC), Disney ABC Cable Networks Group (including Disney Channel, ABC Family, Toon Disney and SOAPnet), The ABC Television Network and the ABC-owned television stations (“Disney”) in response to the Petition for Rulemaking filed by the American Cable Association (“ACA Petition”). Disney also is joining a collective opposition to the ACA Petition.

Disney submits that the ACA Petition is without merit and that there is no reason for the Commission to engage in a rulemaking on any of the issues raised by ACA. Although ACA argues that its requested rule changes are “tweaks” to the retransmission consent process, the requested changes are nothing short of an entirely unwarranted retraction of the retransmission consent rules. Because Disney previously explained its position on the exclusivity rules in its reply comments filed in response to the FCC Public Notice seeking comment on its report to

Congress as required by SHVERA, Disney is attaching its earlier comments to this filing and asks the Commission to incorporate those comments into this record (especially pages 17-21 of that filing). Moreover, given that the exclusivity issues are raised in the SHVERA proceeding, Disney submits that there is no procedural reason for the FCC to take any further action in response to the ACA Petition.

Respectfully submitted,

/s/ Susan L. Fox

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CERTIFICATE OF SERVICE

I, Dayle Jones, of Akin Gump Strauss Hauer & Feld, L.L.P., certify that a copy of the foregoing **Opposition to American Cable Association Petition for Rulemaking**, filed on behalf of The Walt Disney Company, has been served by first class mail, on this 18th day of April, 2005, on the following persons at the addresses shown below.

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