



Marsha J. MacBride

Executive Vice President • Legal & Regulatory Affairs
1771 N Street, NW • Washington, DC 20036-2800
(202) 429-5430 • Fax: (202) 775-3526
mmacbride@nab.org

August 11, 2005

Ex Parte Notice

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

Re: Inquiry Regarding the Impact of Certain Rules on competition in the
Multichannel Video Programming Distribution Market, MB Docket No. 05-28

Dear Ms. Dortch:

On August 10, 2005, representatives of the television broadcasting industry met with Media Bureau staff to reiterate and clarify the views of broadcasters in the above captioned proceeding. Attending the meeting were the undersigned and Anita Wallgren on behalf of the National Association of Broadcasters (NAB), and Wade H. Hargrove on behalf of the ABC Television Affiliates Association and for the FBC Television Affiliates Association. Those attending the meeting from the Media Bureau are listed as recipients of copies of this notice.

The discussion focused on the purpose and impact of the Commission's exclusivity rules in the context of carriage elections with MVPDs. NAB's views have been articulated in previous NAB filings and presentations before the Commission. The broadcasters emphasized that the FCC's exclusivity rules permit broadcasters to enforce contract terms made with program suppliers and MVPDs and provided examples of how the rules work in practice. They explained that the retransmission rules, compulsory copyright license, and exclusivity rules are inextricably linked and together, promote local broadcast service, both over-the-air and by MVPD retransmission.

Ms. Marlene Dortch
August 11, 2005
Page 2 of 2

This report is filed in accordance with Section 1.1206(b)(2) of the Commission's rules.
Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Marsha J. MacBride".

Marsha J. MacBride

cc: Royce Sherlock, Division Chief, Industry Analysis Division
Marcia Glauberman, Deputy Division Chief, Industry Analysis Division
Deborah Klein, Acting Deputy Bureau Chief, Media Bureau
Bill Johnson, Deputy Bureau Chief, Media Bureau
Bob Ratcliffe, Deputy Bureau Chief, Media Bureau
Eloise Gore, Assistant Division Chief, Policy Division
Steve Broeckaert, Deputy Division Chief, Policy Division
Danny Bring, Economist, Media Bureau
Patrick Webre, Industry Analysis Division