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March 16, 2006

Marlene H. Dortch
Secretary,
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Notice of *Ex Parte* Communication
2002 Biennial Regulatory Review, MB Docket No. 02-277
and The Commission's Cable Horizontal and Vertical Ownership Limits, MM
Docket No. 92-264**

Dear Ms. Dortch:

In compliance with 47 CFR §1.1206(b), this letter gives notice that on March 15, 2006, Andrew Schwartzman and Benjamin Karpf from Media Access Project, Frannie Wellings from Free Press, Katherine Grincewich from the US Conference of Catholic Bishops, Pete Tridish from Prometheus Radio Project, Martha Wallner, Lauren Coletta and Katie Yochum from Common Cause, and Marvin Ammori and Susan Cooke from the Institute for Public Representation at the Georgetown University Law Center met with Andrew Long, Media Advisor to Commissioner Deborah Tate, to discuss the remand of the media ownership rules by the 3rd Circuit in *Prometheus Radio Project v. FCC*, 373 F.3d 372 (3d Cir. 2004).

Issues implicating two different dockets were discussed during the meeting. First, in the broadcast ownership context, Ms. Coletta and Mr. Schwartzman called for procedural transparency and extensive public participation when the Commission undertakes the media ownership rules on remand. In particular they expressed the need for adequate public hearings, studies, and time for comment on the proposed rules. Mr. Schwartzman also stated that, under the APA, the Commission must consider all of the remanded rules in one proceeding because the FCC had previously expressed the view that the rules were interrelated and should be reviewed together, or the Commission must adequately justify a decision to review the rules piecemeal.

Second, in the cable ownership docket, in response to a question, Mr. Schwartzman stated that the AT&T/ Bell-South merger increased the need for a meaningful cable horizontal ownership cap. He stated that, as the Commission has expressed concern about accelerating

broadband deployment, a cap on horizontal ownership would accelerate deployment and the lack of a cap would impede deployment.

Sincerely,

/s/

Marvin Ammori

Cc: Commissioner Deborah T. Tate
Andrew Long