



National Cable & Telecommunications Association
25 Massachusetts Avenue, NW, Suite 100
Washington, DC 20001-1413
202-222-2300

Michael S. Schooler
Deputy General Counsel

202-222-2445

www.ncta.com

October 6, 2006

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

Re: Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket No. 05-311

Dear Ms. Dortch:

On October 5, 2006, Diane Burstein (Deputy General Counsel) and I met with Cristina Pauzé, Legal Advisor to Commissioner McDowell, and Christopher Robbins, Legal Advisor to Commissioner Tate, to discuss issues raised in the above-captioned proceeding. We reviewed points set forth in NCTA's comments and reply comments. We noted, in particular, that NCTA had argued in those comments that while telephone companies maintained that the franchising process was unreasonably delaying and preventing their deployment of cable service throughout the nation, there was no evidence that this was the case. To the contrary, our comments noted that local governments appeared to be ready and willing to award additional competitive cable franchises, and that telephone companies were acquiring franchises at a rapid pace that more than matched their readiness to deploy video facilities and services.

In our meetings, we pointed out that even Verizon now admits that the existing franchising process is no obstacle to their nationwide roll-out of cable service. We cited a recent presentation of Verizon Communications, Inc. to a briefing session sponsored by Thomson Financial on September 27, 2006, in which Verizon executives noted that cities were "eager to bring competition to market,"¹ "franchising is not an issue for us,"² and "franchising is not holding us back."³

¹ <http://investor.verizon.com/news/20060927/20060927.pdf>.

² http://investor.verizon.com/news/20060927/20060927_transcript.pdf.

³ *Id.*

Ms. Marlene H. Dortch

October 6, 2006

Page 2

We also discussed Verizon's request, in an ex parte letter, that the Commission should act in this proceeding "to bar cable incumbents from entering into new, or enforcing existing, exclusive arrangements" with owners of multi-dwelling units and other real estate developments. NCTA responded to that request in an ex parte letter on September 8, 2006, and we reviewed the arguments set forth in that response as to why the issue had no place in this proceeding.

Respectfully submitted,

/s/ Michael S. Schooler

Michael S. Schooler

cc: Cristina Pauzé
Christopher Robbins