

May 15, 2007



Marlene H. Dortch
Secretary
Federal Communications Commission
TW-A325
445 Twelfth St., SW
Washington, DC 20554

Re: *Notice of Ex parte* presentation in MM Docket No. 92-264

Dear Ms. Dortch:

On May 14, 2007, Harold Feld, Senior Vice President, Media Access Project, and Dr. Gregory Rose of Economic Research Services met with Commissioner Adelstein and his media advisor, Rudy Brioche, on the above captioned matter.

Mr. Feld's presentation reiterated the points made in the March 21, 2007 letter to Commission with the following additional points. First, although the Commission has the authority to set a 30% limit on all MVPD providers, the statute explicitly directs the Commission to set a limit on cable providers. Accordingly, and given that cable remains dominant in the MVPD market, the Commission may chose to impose a cable-only limit while reserving the question of imposing the limits on other MVPDs. Second, the largest cable operators continue to gain subscribers, making claims that vigorous competition exists questionable.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being filed with your office. If you have any questions, please do not hesitate to contact me.

Respectfully Submitted,

Harold Feld
Senior Vice President

cc:
Commissioner Adelstein
Rudy Brioche