

Jean L. Kiddoo
Direct Phone: (202) 373-6034
Direct Fax: (202) 373-6482

Our File No.: 4195054014

August 31, 2006

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: *Ex Parte* Communication
MB Docket Nos. 07-29, 98-120 and CSR-7108

Dear Ms. Dortch:

On behalf of RCN Telecom Services, Inc. ("RCN"), and pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this is to provide notice of *ex parte* meetings held on August 30, 2007. The meetings were attended by Mr. Peter D. Aquino, RCN's Chief Executive Officer, Mr. Richard Ramlall, RCN's Senior Vice President, Strategic, External and Regulatory Affairs, Ms. Lynne Buening, RCN's Vice President, Programming, Ms. Amy R. Mehlman of Mehlman Capitol Strategies, Inc., and the undersigned (the "RCN Participants"). The RCN Participants met separately with Commissioner Jonathan Adelstein and his Legal Advisor Mr. Rudy Brioché; Commissioner Robert McDowell and his Legal Advisor Ms. Cristina Chou Pauzé; and Mr. Rick Chessen, Legal Advisor to Commissioner Michael Copps (the "FCC Participants"). The purpose of these meetings was to discuss some of the points raised in RCN's comments filed in MB Docket No. 07-29 (Program Access Extension), MB Docket No. 98-120 (Dual Carriage), and CSR-7108 (America Channel).

In addition to discussing other matters addressed in its comments in MB Docket No. 07-29, the RCN Participants discussed RCN's position that program access complaints should be resolved in an expedited manner and, in response to questions, indicated that a 90-day deadline for resolution of program access exclusivity and discrimination disputes would appropriately reflect Section 628's admonition that program access complaints should be resolved expeditiously, and

Boston
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Walnut Creek
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T 202.373.6000
F 202.373.6001
bingham.com

A/72191993.1

Marlene H. Dortch, Secretary
August 31, 2006
Page 2

should clearly be achievable with streamlined procedures and is consistent with the Commission's similar time frames adopted in connection with the Adelphia decision in MB Docket No. 05-192, and in relation to the Section 271 dispute resolution process.

The RCN Participants also addressed questions about the Company's position on dual must-carry carriage requirements that are proposed in MB Docket No. 98-120. In response, they stated that RCN believes that the marketplace and not government mandate should dictate whether a cable operator devotes valuable additional capacity to transmit broadcast channels in two formats. In addition, the RCN participants advised the FCC Participants that any such requirement would interfere with the Company's aggressive digital migration strategy.

In connection with CSR-7108, the RCN Participants provided a copy of the attached document showing the extensive list of NCAA colleges and universities that will be carried on the America Channel.

Should any additional information be required with respect to this *ex parte* notice, please do not hesitate to contact me.

Very truly yours,



Jean L. Kiddoo

Enclosure
cc (by e-mail): FCC Participants

America Channel
NCAA Division I Colleges and Universities

I. America Channel - NEW ENGLAND Region

1. Northeastern University
2. College of the Holy Cross
3. Boston University
4. University of Hartford
5. University of Maine
6. University of New Hampshire
7. University of Vermont
8. Harvard University
9. Dartmouth College
10. Yale University
11. Brown University
12. Central Connecticut State University
13. Quinnipiac College

II. America Channel - NORTHEAST Region

14. University of Delaware
15. Drexel University
16. Hofstra University
17. Colgate University
18. Bucknell University
19. Lafayette College
20. Lehigh University
21. U.S. Military Academy
22. Fordham University
23. Cornell University
24. Columbia University
25. University of Pennsylvania
26. Princeton University
27. University at Albany
28. Binghamton University
29. Stony Brook University
30. Sacred Heart
31. Fairleigh Dickinson
32. Monmouth
33. Long Island U.
34. St. Francis (NY)
35. Wagner College
36. Duquesne

III. America Channel - MID-ATLANTIC Region

37. George Mason University
38. James Madison University
39. Old Dominion University
40. Virginia Commonwealth University
41. Towson University
42. The College of William and Mary
43. American University
44. U.S. Naval Academy
45. Georgetown University
46. University of Maryland at Baltimore County
47. Mount Saint Mary's

IV. America Channel - MIDWEST Region

139. Illinois State University
140. Indiana State University
141. Missouri State University
142. University of Northern Iowa
143. Southern Illinois University
144. Western Illinois University
145. Youngstown State University
146. Butler University
147. University of Dayton
148. Drake University
149. Morehead State University
150. Valparaiso University
151. Indiana University - Purdue University - Indianapolis (IUPUI)
152. Indiana University - Purdue University - Fort Wayne (IUPUIFW)
153. University of Missouri-Kansas City (UMKC)
154. North Dakota State University
155. Oakland University
156. Oral Roberts University
157. South Dakota State University
158. Cleveland State University
159. University of Detroit Mercy
160. University of Illinois at Chicago
161. Loyola University Chicago
162. University of Wisconsin-Green Bay
163. University of Wisconsin-Milwaukee
164. Wright State University

V. America Channel - MOUNTAIN Region

109. Denver University
110. Eastern Washington University
111. Idaho State University
112. University of Montana
113. Montana State University
114. Northern Arizona University
115. University of Northern Colorado
116. Portland State University
117. Weber State University
118. University of Nevada
119. Boise State University
120. Utah State University
121. Southern Utah University
122. New Mexico State University
123. University of Idaho

America Channel
NCAA Division I Colleges & Universities
Page 2

VI. America Channel - SOUTH Region

48. Belmont University
49. Campbell University
50. East Tennessee State University
51. Florida Gulf Coast University
52. Gardner-Webb University
53. Jacksonville University
54. Kennesaw State University
55. Lipscomb University
56. Mercer College
57. University of North Florida
58. USC Upstate
59. Stetson University
60. Birmingham-Southern College
61. Charleston Southern University
62. Coastal Carolina University
63. High Point University
64. Liberty University
65. Presbyterian College
66. Radford University
67. UNC Asheville
68. Virginia Military Institute
69. Winthrop University
70. Appalachian State University
71. College of Charleston
72. The Citadel
73. University of Tennessee at Chattanooga
74. Davidson College
75. Elon University
76. Furman University
77. Georgia Southern University
78. University of North Carolina at Greensboro
79. Western Carolina University
80. Wofford College
81. University of North Carolina at Wilmington
82. Georgia State University
83. Arkansas State University
84. University of Arkansas-Little Rock (UALR)
85. Louisiana-Lafayette
86. Louisiana-Monroe
87. University of New Orleans
88. University of North Texas
89. Florida Atlantic (FAU)
90. Florida International (FIU)
91. Middle Tennessee
92. South Alabama
93. Troy University
94. Western Kentucky University (WKU)
95. University of Texas – Arlington
96. Stephen F. Austin State University
97. University of Central Arkansas
98. Northwestern State University
99. Southeastern Louisiana University
100. Texas State University
101. University of Texas – San Antonio
102. Texas A&M – Corpus Christi
103. Sam Houston State University

104. Lamar University
105. McNeese State University
106. Nicholls State University
107. Louisiana Tech University
108. Centenary College

VII. America Channel - WEST Region

124. Sacramento State University
125. California Polytechnic State University
126. California State University at Fullerton
127. California State University at Northridge
128. Long Beach State University
129. University of California at Irvine
130. University of California at Riverside
131. University of California at Santa Barbara
132. University of the Pacific
133. University of California at Davis
134. Fresno State University
135. University of Hawaii
136. San Jose State University
137. University of Washington
138. University of San Diego