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Federal Communications Commission
Office of the Secretary



August 24, 2007

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20005

RE: Carriage of Digital Television Broadcast Signals
CS Docket No. 98-120 – Ex Parte Communication

Dear Ms. Dortch:

Univision Communications, Inc. (“Univision”) submits this *ex parte* letter in connection with the above-captioned proceeding, in which the Commission is considering how to address broadcasters’ signal carriage rights following the digital television (“DTV”) transition.¹ Univision maintains a particular interest in the outcome of this proceeding as the owner of a number of television stations – and broadcast networks – that currently rely upon the Commission’s “must carry” rules to ensure carriage on multichannel video distribution platforms (“MVPDs”) such as cable and satellite.

Univision is the premier Spanish-language media company in the United States. Its operations include Univision Network, the most-watched Spanish-language broadcast television network in the U.S. (which reaches 99% of U.S. Hispanic households); TeleFutura Network, a general-interest Spanish language broadcast television network (which reaches 89% of U.S. Hispanic households); and Univision Television Group, which owns and operates 62 full power and low power television stations that carry Univision’s networks in major U.S. Hispanic markets and Puerto Rico. The Univision Network also is carried on more than 60 full power and low power

¹ See *In re Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission’s Rules*, CS Docket No. 98-120, Second Further Notice of Proposed Rulemaking (rel. May 4, 2007) (the “Second Notice”).

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affiliated broadcast stations. The Univision Network is widely popular with all U.S. adults, but especially among Hispanic Americans. In the second quarter of 2007, the network ranked No. 3 in viewership by U.S. adults aged 18-34 according to Nielsen, and it increased its audience share by 11 percent among 18-34-year-olds compared to the prior year. Locally, during the 2007 May Sweeps, Univision-owned television stations were ranked as the No. 1 station in any language in primetime among adults 18-34 in Los Angeles, Houston, Dallas, Austin, Fresno and Bakersfield, and among adults 18-49 in Los Angeles, Houston, Fresno and Bakersfield.

Thus, millions of American television viewers have a legitimate expectation that they will continue to be able to receive and enjoy Univision's programming even after the DTV transition. Congress has sought to ensure that the transition does nothing to hamper viewers' ability to access broadcast programming on analog sets through their cable providers,² and Univision appreciates the Commission's effort to make certain that consumers will not be left literally in the dark once broadcasters are obligated to cease analog operations.

As the owner of networks and stations that cater to the nation's large and growing Hispanic population, Univision strongly supports the FCC's proposals, as set out in the *Second Notice*, to ensure that cable subscribers with analog television sets will retain the ability to watch their favorite broadcast programs.³ Univision strives to produce and distribute unique, high-quality programming that serves Hispanic households' diverse tastes and interests. Univision's networks, together with its television stations and affiliates, often provide Hispanic households with programming they simply cannot find anywhere else. Indeed, Univision serves as the primary source of vital local news and informational programming, as well as award-winning public affairs programming, for millions of Spanish-speaking homes in dozens of local markets. This already-underserved population therefore is at significant risk of being disenfranchised if the Commission does not ensure that cable systems continue to make broadcast programming available on analog sets following the DTV transition.

Accordingly, Univision supports the Commission's proposal to require that, with respect to stations electing mandatory cable carriage under the must carry rules, cable operators must either (1) carry the signals of commercial must carry stations in

² See 47 U.S.C. § 534(b)(7) (must carry broadcast stations must be "viewable via cable on all television receivers of a subscriber which are connected to a cable system by a cable operator or for which a cable operator provides a connection").

³ See *Second Notice*, at ¶ 17.

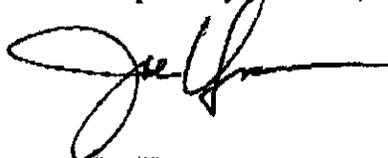
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analog format to all analog cable subscribers, or (2) for all-digital systems, carry those signals only in digital format, provided that all subscribers with analog television sets have the necessary equipment to view the broadcast content.⁴ In short, the FCC's proposal would ensure that all must carry television station signals will remain "viewable" on all television sets connected to a cable operator's system.

Univision applauds the Commission for seeking to ensure that the DTV transition will have no adverse impact on American consumers. The FCC should adopt the viewability proposals set forth in the *Second Order* to guarantee that all Americans, and especially more vulnerable Hispanic audiences, will continue to be able to view their preferred broadcast programming via cable after the conclusion of the DTV transition.

Pursuant to Section 1.1206(b) of the Commission's Rules, an original and copy of this *ex parte* letter are being submitted to the Secretary's office. Should you have any question concerning this submission, kindly contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Uva", with a long horizontal flourish extending to the right.

Joe Uva

⁴ *See id.*