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September 5, 2007

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

**Re: Digital Must Carry, CS Docket No. 98-120
Program Access, MB Docket No. 07-29**

Dear Ms. Dortch:

On Tuesday, September 4, 2007, Kyle McSlarrow, President & CEO of the National Cable & Telecommunications Commission (“NCTA”), Howard Symons, of the law firm Mintz, Levin, Cohn, Ferris, Glovsky, & Popeo, P.C., Diane Burstein, Vice President & Deputy General Counsel, NCTA, Michael Schooler, Vice President & Deputy General Counsel, NCTA, and I met with Commissioner Deborah T. Tate and Amy Blankenship, Legal Advisor to Commissioner Tate.

We discussed NCTA’s comments in the above-captioned dockets, including various voluntary cable operator approaches involving carriage of a must-carry broadcaster’s digital signal converted to analog. We also pointed out that bandwidth constrained operators in markets with large numbers of government-mandated signals (must carry, PEG) posed particular challenges in terms of voluntary carriage. We also discussed problems with the proposal in the notice regarding carriage of “all bits” and urged retention of the current standard for determining material degradation.

In the program access proceeding, we discussed NCTA’s opposition to any additional discovery requirements, including enhanced discovery or the need for arbitration during the remedies phase of a program access complaint.

If you have any questions, please contact the undersigned.

Respectfully submitted,

/s/ **Daniel L. Brenner**
Daniel L. Brenner

cc: Deborah Tate
Amy Blankenship