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September 18, 2007

EX PARTE

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

RE: *Exclusive Service Contracts for the Provision of Video Services in Multiple Dwelling Units, MB Docket No. 07-51*

Dear Ms. Dortch:

On September 17, 2007, Michael Schooler, Vice President & Deputy General Counsel of the National Cable & Telecommunications Association (NCTA) and I had separate meetings with the following individuals to discuss issues related to the above-referenced proceeding:

- Christina Pauzé, Legal Advisor to Commissioner McDowell
- Rick Chessen, Senior Legal Advisor to Commissioner Copps
- Rudy Brioché, Legal Advisor to Commissioner Adelstein

Consistent with NCTA's pleadings in this docket, we explained that the Commission had no legal authority to regulate contracts between multichannel video program distributors (MVPDs) and building owners or landlords. We also reiterated that it would be not only unlawful but especially counterproductive, unfair, and contrary to the public interest for the Commission to interfere with the rights and obligations of parties under *existing* contracts, and that any *prospective* regulation should apply equally to all MVPDs.

Please do not hesitate to call should you have any questions regarding this matter.

Respectfully submitted,

/s/ **Steven F. Morris**
Steven F. Morris

cc: C. Pauzé
R. Chessen
R. Brioché