HOGAN &
HARTSON

Hogan & Hartson LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
+1.202.637.5600 Tel
+1.202.637.5910 Fax

www.hhlaw.com

Yaron Dori
+1.202.637.5458
ydori@hhlaw.com

September 26, 2007

Via ECFS

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

Re: MB Docket No. 07-51 – In the Matter of Exclusive Service Contracts for the Provision of Video Services in Multiple Dwelling Units and Other Real Estate Developments

Dear Ms. Dortch:

Yesterday, representatives of Shenandoah Telecommunications Company ("Shentel") met with Rudy Brioché, Legal Advisor to Commissioner Jonathan Adelstein, to discuss the record in the above-referenced docket. I attended the meeting on behalf of Shentel, along with Jonathan Spencer, Vice President, General Counsel and Corporate Secretary, and William Pirtle, Vice President of Sales. The issues discussed and the views expressed at the meeting by Shentel were consistent with the company's earlier-filed submissions in this docket as well as with the attached document, which Shentel distributed at the meeting.

Please contact the undersigned if you have any questions concerning this letter.

Respectfully submitted,

Yaron Dori
Counsel for Shentel

Attachment

cc: Rudy Brioché (FCC)
Jonathan Spencer (Shentel)
William Pirtle (Shentel)

SHENANDOAH TELECOMMUNICATIONS COMPANY

MB Docket No. 07-51

- **Who Were Are.** Shentel is a Virginia RLEC that also provides MDUs and real estate developments with multichannel video, broadband, voice, and other services outside of its home region pursuant to ESCs.
    - Shentel serves properties throughout the Southeast and Mid-Atlantic regions, including those in Delaware, Florida, Georgia, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.
    - Shentel focuses primarily on smaller markets in second, third and fourth tier cities, university towns, greenfield developments, and other predominantly non-urban or rural areas with low population densities; it also competes for ESCs in large markets such as Atlanta and Washington, D.C., often at the request of the property owner or manager.
- **ESCs Promote Competition and the Deployment of Advanced Services.** The record demonstrates that ESCs empower small operators such as Shentel to provide improved service, customized programming, and competitive pricing to consumers in MDUs and developments.
    - Shentel typically faces competition for video service from:
        (1) incumbent cable and telephone companies in highly competitive markets; and
        (2) other small operators, particularly for properties that cater to students or vacationers, or those in lower population density markets in which neither the incumbent cable operator nor the local exchange carrier is willing or able to provide the advanced services sought by consumers.
    - MDU owners, developers, and HOAs are sophisticated, repeat players in the market for multichannel video and other services that rely on the benefits of ESCs to attract and retain tenants; residents of such properties benefit from ESCs because they result in competitive rates, facilities upgrades, customized services and SLAs.
    - Residents of properties not targeted for advanced services by incumbents due to distance from existing plant and/or lower population densities simply would not have access to advanced video, broadband, VoIP, and other such services – or would have such access only after considerable delay – in the absence of ESCs.
- **Prohibiting or Limiting ESCs Would Create Less Consumer Choice, Not More.** Shentel and other private cable operators currently compete with franchised cable operators and telecommunications giants just now entering the market for video services.
    - Without ESCs and the opportunity for reasonable return on investment, Shentel could not justify the investment necessary to construct advanced networks in lower population density areas, or, in some cases, to maintain existing networks.
    - Prohibiting ESCs would exclude small providers such as Shentel from competing in most markets, delaying – and in some cases preventing altogether – the construction of advanced facilities and competitive service offerings in non-urban and underserved areas.