



**National Cable & Telecommunications Association**  
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November 16, 2007

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

**Re: Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming; MB Docket No. 06-189**

Dear Ms. Dortch:

The individuals listed below, along with myself, met as a group representing the Board of Directors of the National Cable & Telecommunications Association (“NCTA”) with Commissioner Michael J. Copps and his Legal Advisor Rick Chessen, on Thursday, November 15, 2007. The group, which included large and small cable operators and independent programming network executives, discussed competitive issues facing both cable operators and cable programmers. It emphasized the \$100 billion investment by the industry in upgraded plant to provide competitive residential phone service and broadband service.

In particular, the group questioned published reports that the industry has reached both of the thresholds under the “70/70” test of Sec. 612 of the Cable Act of 1984. It emphasized that, for each cable operator, penetration of its service area lies well below 70 percent, and it is unlikely that other operators’ penetration levels differed markedly with these results. The group also urged the Commissioner, given the robust competition in both the video distribution and video programming markets, to take sufficient time to consider market facts before re-regulating aspects of the cable business.

Respectfully submitted,

/s/ **Daniel L. Brenner**

Daniel L. Brenner

Brian Roberts, Comcast Corporation  
Philip Kent, Turner Broadcasting System, Inc.  
William Bresnan, Bresnan Communications  
Amy Tykeson, BendBroadband

Debra Lee, Black Entertainment Television, Inc.  
Jerald Kent, Suddenlink Communications  
Neil Smit, Charter Communications  
David Zaslav, Discovery Communications, Inc

cc: Commissioner Copps  
Rick Chessen