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The Honorable Deborah T. Tate  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: CS Docket No. 98-120**

Dear Commissioner Tate:

On September 11, 2007, almost six months ago, the FCC adopted rules regarding the must-carry obligations for cable operators, including small system operators, after the broadcasters' digital transition occurs on February 17, 2009. This ruling requires almost all cable operators to carry must carry signals in both an analog and digital format. Rather than granting the blanket exemption for small systems NCTA requested, the ruling permits systems with channel capacity of 552 MHz or less to file a request for a waiver of the requirement to carry the additional digital must-carry signals. However, a *Further Notice* accompanying the Order seeks comment on potential additional relief for small cable systems. In the *Further Notice*, the FCC committed to complete an Order concerning these small cable systems within six months. The comment cycle on the *Further Notice* will close on March 17, 2008.

I am writing to emphasize the importance of swift action. NCTA continues to strongly support an outright exemption from this dual carriage obligation for a limited group of systems, namely those with channel capacity of 552 MHz or less or with 5000 or fewer customers. We urge the FCC to complete action on this item as soon as possible after completion of the comment cycle, consistent with its promise to act within six months. Such action will allow these systems to provide each must-carry station's signal to customers without incurring unnecessary, burdensome costs, and without having to use their evident limited channel capacity for duplicative signals.

Thank you for consideration of this request.

Sincerely,

/s/ **Kyle McSlarrow**  
Kyle McSlarrow

cc: Amy Blankenship  
Marlene H. Dortch