



**National Cable & Telecommunications Association**  
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April 9, 2008

**EX PARTE**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC, 20554

**RE: *Implementation of Section 224 of the Act; Amendment of the Commission's Rules Governing Pole Attachments, WC Docket No. 07-245; RM-11303; RM-11293***

Dear Ms. Dortch:

On April 9, 2008, the undersigned, along with Dan Brenner of the National Cable & Telecommunications Association (NCTA) and Paul Glist of Davis Wright Tremaine LLP, met with Scott Bergmann, Senior Legal Advisor to Commissioner Jonathan Adelstein, to discuss issues related to the above-referenced proceeding. NCTA explained that the Commission's *Notice of Proposed Rulemaking* mischaracterized the current regime governing pole attachments by cable operators and that its tentative conclusion to raise the attachment rates paid by cable operators was inconsistent with Commissioner Adelstein's interest in promoting broadband investment, particularly in rural areas. NCTA also identified a number of options by which the Commission could achieve regulatory parity among different providers without undermining its broadband policies. The attached materials were discussed at the meeting.

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

Respectfully submitted,

**/s/ Steven F. Morris**

Steven F. Morris  
Associate General Counsel

cc: S. Bergmann