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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Carriage of Digital Television Broadcast Signals: Amendment of Part 76 of the Commission's Rules, CS Docket No. 98-120

Dear Ms. Dortch:

On May 13, 2008, Will Johnson and I met with Rudy Brioche, legal advisor to Commissioner Adelstein, to discuss Verizon's position on issues raised by the Further Notice in the above-referenced proceeding.

Our discussions were consistent with the comments that we filed. Specifically, regarding channel placement and formatting issues, we stated that video service providers are in the best position to determine how to meet their customers' demands and provide a high quality user experience while delivering multiple versions of a single must-carry channel. We urged the FCC to decline to adopt regulations on these matters and instead permit the video provider to determine how best to deliver signals to its customers. We explained that even if it were technically possible for both HD and SD versions of a channel to share the same channel placement, it does not follow that such an approach would necessarily be desired by our customers. Similarly, we urged the Commission not to require video providers to employ the active format description (AFD) standards, given that those standards are not widely adopted by broadcasters and that video providers already have an incentive to use those standards if they will benefit consumers. Further, in the absence of some indication of a problem concerning these issues, regulation is unnecessary, particularly given a video provider's strong incentive to ensure a high quality viewing experience for its customers.

On the issue of material degradation, we stated that, under the Communications Act, this standard only applies to must-carry channels, and that neither law nor policy justify extending the material degradation standard to broadcasters electing retransmission consent arrangements. Section 325 of the Communications Act, which governs retransmission consent, makes clear that the must-carry provisions in Section 614, including the material degradation standard, do not apply in the case of retransmission consent. Government regulation is neither appropriate nor necessary once a broadcaster elects to negotiate its carriage terms.

Lastly, we expressed support for the Commission's tentative conclusion that existing rules are sufficient to ensure that cable operators that transition their systems to all digital provide written notice to their subscribers about the switch.

Respectfully submitted,