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Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Program Access Rules and Program Carriage Proceedings, MB Docket Nos. 07-198, 07-29, 07-42

Dear Ms. Dortch:

On December 10, 2008, I had a telephone conversation with Rick Chessen, Legal Advisor to Commissioner Copps, to discuss Verizon's position in the above-captioned proceedings. Our discussion was consistent with our position as summarized in our December 5, 2008 ex parte filing. In particular, I discussed the need for the Commission to adopt a standstill requirement that maintains the status quo and allows competitive providers to continue offering programming during the pendency of a program access complaint concerning renewal negotiations. I also explained that certain proposed reforms – such as expanding the definition of “affiliated channel” to include channels affiliated with *any* video provider, and not just the provider that is the subject of a program carriage complaint – would be unlawful and inappropriate as applied to a competitive provider like Verizon. Verizon competes head-to-head with large vertically-integrated cable incumbents everywhere that it provides service and has no incentive whatsoever to discriminate *in favor of* these competitors' programming and against independent programmers. And this fact would be true regardless of whether Verizon owns or develops its own programming – something that the Commission's rules should encourage rather than discourage.

Sincerely,

A handwritten signature in black ink that reads "Leora Hochstein".

cc: Rick Chessen