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Electronic Submission

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

FILED/ACCEPTED

APR 16 2009

Federal Communications Commission
Office of the Secretary

ORIGINAL

Re: Ex Parte Statement.

**Petitions for Declaratory Ruling Regarding Public, Educational, and
Governmental Programming—MB Docket No. 09-13, CSR-8126, CSR-8127,
CSR-8128.**

Dear Ms. Dortch:

Today Hank Hultquist, James Smith and Christopher Heimann, on behalf of AT&T Services, Inc. (AT&T) met with Mary Beth Murphy, Nancy Murphy, Holly Saurer, and John Norton of the Media Bureau. The purpose of the meeting was to reiterate the positions AT&T has taken in pleadings filed in the above referenced proceedings. AT&T discussed how PEG was provided as part of its U-verse TV service, including the various benefits of offering the PEG product on a DMA-wide basis. The discussion also focused on differences between a traditional cable company's ability to insert programming at the local municipal level whereas under AT&T's IPTV architecture video programming can only be inserted at the DMA-based VHO level. AT&T also discussed improvements planned for the PEG product as part of a future software release currently schedule for initial implementation in June 2009. AT&T argued that the petitions filed against AT&T's U-verse PEG offering should be rejected because, at a minimum, AT&T complies with federal PEG requirements, the relief sought is not the proper subject of a declaratory ruling, and the manner in which PEG is delivered is governed by state and local franchise agreements.

In accordance with Section 1.1206 of the Commission's rules, this letter is being filed electronically with you office for inclusion in the public record of this proceeding.

Sincerely,

James K. Smith

Cc: Mary Beth Murphy
Nancy Murphy
Holly Saurer
John Norton

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