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Jeremy M. Kissel
Admitted in DC and Florida

April 30, 2009

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

VIA ECFS

RE: Notice of Ex Parte Presentation; MB Docket No. 97-80; GN Docket No. 09-40

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.1206(b), we electronically provide this notice of an ex parte presentation in the dockets listed above. On April 29, 2009, the following persons met with Thomas Horan, Nancy Murphy, Royce Sherlock, Steven Broeckert, John Norton, Marcia Glauberman, and Brendan Murray of the Media Bureau:

Jim Bruder, Chairman/CEO, Harron Communications
Christopher C. Cinnamon, Outside Counsel to ACA, Cinnamon Mueller
Jeremy M. Kissel, Outside Counsel to ACA, Cinnamon Mueller
Tom Larsen, Vice President of Legal and Public Affairs, Mediacom
Melanie McMullen, Director of Business and Legal Affairs, NCTC
Jim Penney, Executive Vice President, Wave Broadband
Jeff Ross, President, Armstrong Cable Service

At the meeting, participants expressed their continued support for the Commission policy of maintaining a light regulatory touch on broadband service, describing how this has helped small cable operators accelerate the roll-out of broadband in small markets and rural areas, resulting in much greater access to advanced services such as high-speed Internet access and Voice over Internet Protocol ("VoIP"). Participants also voiced their support for the Commission's policy of limiting state regulation of VoIP.

Participants also discussed the Commission's consultative role in defining certain terms to be used by the National Telecommunications and Information Administration ("NTIA") in the distribution of broadband stimulus funds provided in the American Recovery and Reinvestment Act of 2009.¹ In particular, participants asked the Commission to not define areas as "underserved" where existing cable service providers are already offering services.

Meeting participants also encouraged the Commission to grant waivers for low-cost, limited functionality, integrated set-top boxes. Lower cost set-top boxes like those described in several pending waiver requests will accelerate bandwidth reclamation, allowing smaller cable companies to

¹ Pub. L. No. 111-5, 123 Stat. 115 (2009).

provide consumers with more high-definition video channels and increasingly faster broadband service.

Sincerely,



Jeremy M. Kissel

cc: Thomas Horan
Nancy Murphy
Royce Sherlock
Steven Broeckaert
John Norton
Marcia Glauberman
Brendan Murray
Jim Bruder
Christopher C. Cinnamon
Tom Larsen
Melanie McMullen
Jim Penney
Jeff Ross