

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
A National Broadband)
Plan for Our Future)
) GN Docket No. 09-51

COMMENTS OF MLB ADVANCED MEDIA, L.P.

The undersigned organization respectfully submits these comments in response to the April 8, 2009 Notice of Inquiry (the “NOI”) from the Federal Communications Commission (the “Commission”) seeking comment to inform the development of a national broadband plan (the “Plan”).

Background

MLB Advanced Media, L.P. (“MLBAM”) is Major League Baseball’s Internet and interactive media company, with exclusive rights to distribute Major League Baseball (“MLB”) game telecasts and radio broadcasts via the Internet. In MLBAM’s exercise of these rights from MLB.com, the Official Site of Major League Baseball, in 2008 end users watched or listened to nearly 4.5 billion minutes of live and on-demand multimedia.

In 2009, the MLB.TV and Gameday Audio online subscription services will carry thousands of live MLB game telecasts and radio broadcasts via the Internet to fans on a worldwide basis. This year’s iteration of MLB.TV includes high definition quality live video streams, fast-forward and rewind capabilities, player trackers, live game highlights, multi-game viewing options, and various audio and video feed options. As the world’s most successful and comprehensive live video streaming service, MLB.TV illustrates how broadband networks can be utilized in ways that benefit consumers and video content rights holders alike.

Comments

With this statement of introduction, we wish to express the following comments in response to the NOI:

The legitimate commercial relationships between content rights holders and broadband network customers should not be subject to interference as a result of broadband network

management techniques. Therefore, we recommend that in connection with defining non-discrimination obligations of broadband providers pursuant to the Plan, the Commission should not permit any broadband provider to engage in any unilateral network management technique that interferes with content transmitted lawfully by a content rights holder to a broadband network customer.

Respectfully submitted,

MLB Advanced Media, L.P.

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