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October 27, 2009

By Electronic Filing

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

RE: Ex Parte Presentation of the PPM Coalition
in MB Docket No. 08-187

Dear Ms. Dortch:

On October 26, 2009, on behalf of the PPM Coalition, Antoinette Cook Bush, Jared Sher, and the undersigned, of this Firm, met with Rick Kaplan, legal advisor to Commissioner Mignon Clyburn.

We reviewed the background of Arbitron's Portable People Meter ("PPM") and emphasized that the PPM Coalition does not oppose electronic audience measurement, as exemplified by the PPM device, but that Arbitron's implementation methodology is defective. Specifically, Arbitron has used methods of recruiting PPM survey panels that result in significant under-representation of minority audiences. This problem has been exacerbated by the lengthy terms that PPM panelists serve.

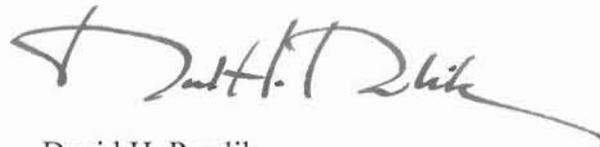
We extolled the work being done by Congressman Towns and the House Committee on Oversight and Government Reform in its investigation into Arbitron's failure to secure MRC accreditation and requested that the Commission follow its Notice of Inquiry in this proceeding with its own investigation pursuant to Section 403 of the Communications Act or with a Notice of Proposed Rulemaking.

We discussed the settlement agreements reached with Arbitron in the states of New York, New Jersey, and Maryland and noted that one of the key aspects of the settlements is that Arbitron is to seek MRC accreditation, which to date Arbitron has not accomplished.

The PPM Coalition believes that the problems with PPM-generated ratings would be ameliorated to a great extent if Arbitron obtains accreditation by Media Rating Council, Inc. ("MRC") in each radio market prior to making its PPM ratings "currency."

We provided the attached materials to further illustrate the position of the PPM Coalition.

Sincerely,

A handwritten signature in black ink, appearing to read "D. H. Pawlik", with a long, sweeping underline that extends to the right.

David H. Pawlik
Counsel to the PPM Coalition

attachment

cc: Rick Kaplan