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November 2, 2009

By Electronic Filing

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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 29, 2009, on behalf of the PPM Coalition, Antoinette Cook Bush and Cliff Sloan of this Firm, met with Sherrese Smith, Legal Advisor to Chairman Genachowski.

Ms. Bush and Mr. Sloan reviewed the history 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. The PPM Coalition only asks that Arbitron obtain accreditation by Media Rating Council, Inc. ("MRC") in each radio market prior to making its PPM ratings "currency."

Ms. Bush and Mr. Sloan 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. They 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 receive MRC accreditation, which to date Arbitron has not accomplished. Ms. Bush and Mr. Sloan also discussed other facets of the PPM Coalition's position, which are presented in the attached documents.

Sincerely,

A handwritten signature in black ink, appearing to read "David H. Pawlik". The signature is written in a cursive, flowing style with a long horizontal tail stroke.

David H. Pawlik  
Counsel to the PPM Coalition

attachment

cc: Sherrese Smith