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November 5, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notification of Ex Parte Communications
MB Docket No. 07-42 and Docket No. 09-51

Dear Ms. Dortch:

On Tuesday, November 4, representatives of the NFL and of the Commission met together at the request of the Broadband Task Force. A list of the participants is attached, although we were informed that other Commission representatives may also have participated at the last moment. The meeting was a follow-up to a meeting on September 1, 2009, among Chairman Genachowski, NFL Commissioner Roger Goodell and others, in which broadband and other issues were discussed. Following the first meeting yesterday afternoon, the same NFL representatives listed on the attachment met with a broader cross-section of the Broadband Task Force, although the undersigned had to leave before the second meeting concluded.

In the first meeting, the NFL representatives, as requested by the Commission representatives, explained the NFL's distribution policies and practices. Under the NFL's objective of broadening the public's access to its content, the NFL's online and wireless distribution arrangements, which are vibrant and growing, are complementary to its broad distribution of game coverage over broadcast stations (231 of the 256 regular-season NFL games and all post-season games distributed by broadcast television only, and the other 25 games are shown on both cable and in the home markets of the participating teams on local television stations in those markets). Moreover, the Internet can't for the foreseeable future support the NFL's distribution of NFL games that is so capacity-intensive in terms of the number of viewers and the HDTV quality of the content. The NFL representatives then answered various questions from the Commission representatives attending the meeting.

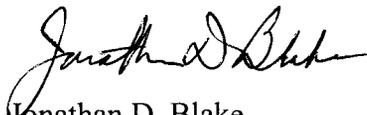
The NFL representatives also pointed out that the NFL's efforts to provide broader access to its content is being thwarted by the non-carriage of the NFL Network by certain vertically-integrated cable operators. They referred to the pending rulemaking (MB Docket No.

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07-42) concerning the FCC's processes for resolving program-carriage complaints. Based on the experience in the now-settled NFL Network/Comcast hearing, the NFL believes that the Commission's processes are too slow, too burdensome and too tilted (unintentionally) in favor of cable operators. New, smaller independent cable programmers could find these obstacles to be unduly daunting, and, as a result, the purposes of Congress' and the FCC's ban on program carriage discrimination could be thwarted.

Please direct any questions concerning the above matters to the undersigned.

Sincerely,



Jonathan D. Blake
Attorney for the National Football League

cc: Kris Monteith
Jeff Miller

Meeting with NFL Representatives on Broadband-Related Issues
Wednesday, November 4, 5:15 p.m., 8th Floor, Conference Room 5

NFL Attendees:

- Brian Rolapp - Senior Vice President for Media Strategy
- Gary Gertzog - Senior Vice President, Business Affairs and General Counsel
- Hans Schroeder, Vice President, NFL Digital Media and General Manager, NFL.com
- Jeff Miller – Vice President, Government Relations & Public Policy
- David Healy – Manager Media Strategy and Development
- Jon Blake - Senior Counsel, Covington & Burling

FCC Attendees:

- Bill Lake, Chief, Media Bureau
- Bob Ratclife, Deputy Chief, Media Bureau
- Kris Monteith, Deputy Chief, Media Bureau
- Tom Horan, Chief of Staff, Media Bureau
- Brian David, Director, Adoption and Usage, Omnibus Broadband Initiative
- Peter Bowen, Applications Director, Omnibus Broadband Initiative
- Shawn Hoy, Business Analyst-Applications, Omnibus Broadband Initiative
- Adam Gerson, Business Analyst-Applications, Omnibus Broadband Initiative
- Brian Weeks, Business Analyst-Applications, Omnibus Broadband Initiative
- David Goldman, Office of Chairman Genachowski