



December 16, 2009

BY ELECTRONIC FILING

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

Re: Ex Parte Communication in MB Docket Nos. 07-29, 07-198

Dear Ms. Dortch:

Several of the largest cable operators have cited to DIRECTV's NFL Sunday Ticket, which permits subscribers to watch out-of-town football games, in defense of cable's use of the "terrestrial loophole" to deny satellite subscribers their hometown sports programming. *E.g.*, Letter from Howard Symons, Counsel for Cablevision, to Marlene H. Dortch, Secretary, FCC, MB Docket Nos. 07-29, 07-198 at 7 (filed Nov. 13, 2009); Reply Comments of Comcast Corp., MB Docket No. 07-198 at 10 n.38 (filed Feb. 12, 2008). As detailed in the attachment to this letter, the NFL Sunday Ticket—a package that is limited to out-of-town games, sold to DIRECTV by a programmer in which DIRECTV has no ownership interest, and offered in a marketplace in which DIRECTV does not possess market power—raises none of the public policy problems associated with the terrestrial loophole.

Pursuant to the Commission's rules, I am filing one copy of this letter electronically in each of the dockets listed above.

Sincerely,

/s/

Stacy Fuller
Vice President, Regulatory Affairs

cc: Sherrese Smith