

Jean L. Kiddoo  
 Direct Phone: (202) 373-6034  
 Direct Fax: (202) 373-6482  
 jean.kiddoo@bingham.com

January 8, 2010

**VIA HAND DELIVERY**

Marlene H. Dortch, Secretary  
 Federal Communications Commission  
 The Portals  
 445 12th Street, S.W.  
 Washington, DC 20554

Re: *Ex Parte* Communication – MB Docket No. 07-198

Dear Ms. Dortch:

On behalf of RCN Corporation (“RCN”), and pursuant to Section 1.1206 of the Commission’s Rules, 47 C.F.R. § 1.1206, this is to provide notice of *ex parte* meetings held yesterday in connection with the above-referenced proceeding. The meetings were attended by Amy R. Mehlman of Mehlman Capitol Strategies, Inc., on behalf of RCN. Ms. Mehlman met separately with Ms. Rosemary C. Harold, Legal Advisor to Commissioner Robert M. McDowell, and Ms. Millie Kerr, Staff Attorney to Commissioner Meredith Attwell Baker. The purpose of the meetings was to discuss RCN’s support of the Commission authority to assure program access for terrestrially delivered “must have” cable programming. Ms. Mehlman also advised Ms. Harold and Ms. Kerr that to the extent that the Commission assert such authority on a case by case basis through a complaint procedure, RCN would urge that such a procedure include the types of important standstill and timing parameters that the Commission has adopted as merger conditions related to program access. As the Commission has recognized in those merger proceedings, allowing a program vendor to terminate carriage during a complaint proceeding or allowing it to make a proceeding prohibitively expensive through procedural delay tactics would effectively preclude a competitor from exercising its right to pursue a complaint process. No written materials were provided by Ms. Mehlman at the meetings.

Should any additional information be required with respect to this *ex parte* notice, please do not hesitate to contact me.

Very truly yours,

/s/ Jean L. Kiddoo

Jean L. Kiddoo

cc (by email): Ms. Rosemary Harold  
 Ms. Millie Kerr  
 Ms. Amy R. Mehlman

Boston  
 Hartford  
 Hong Kong  
 London  
 Los Angeles  
 New York  
 Orange County  
 San Francisco  
 Santa Monica  
 Silicon Valley  
 Tokyo  
 Walnut Creek  
 Washington

Bingham McCutchen LLP  
 2020 K Street NW  
 Washington, DC  
 20006-1806

T 202.373.6000  
 F 202.373.6001  
 bingham.com

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