

January 12, 2010

FILED ELECTRONICALLY

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

**Re: Notice of Ex Parte Presentation
MB Docket Nos. 07-29 and 07-198**

Dear Ms. Dortch:

On January 11, 2010, Lisa Rosenblum and Catherine Bohigian of Cablevision Systems Corporation (“Cablevision”) and the undersigned met with Commissioner McDowell and Rosemary Harold, his legal advisor, regarding the above-captioned dockets.

In the meeting, we reiterated the legal and policy reasons against extending the program access rules to terrestrially-delivered programming that are set out in more detail in the November 13, 2009, letter from the undersigned and in Cablevision’s other filings in these proceedings. Given recent reports that the Commission may nonetheless decide to permit MVPDs to file complaints for access to terrestrial programming pursuant to section 628(b), we emphasized that any rules adopted by the Commission must give meaning to each element of section 628(b) and must account for the impact of an allegedly unfair or deceptive practice on competition in the market as a whole. We noted that the complainant should also be required to expressly address and account for other factors besides the allegedly unlawful practice that may explain the complainant’s market penetration, and that the respondent should be given a sufficient opportunity to rebut any analyses, surveys, or other evidence proffered by the complainant.

Pursuant to section 1.1206(b) of the Commission’s rules, an electronic copy of this letter is being filed electronically with the Office of the Secretary and served electronically on the Commission participants in the meetings.

Should there be any questions regarding this matter, please contact the undersigned.

Sincerely,



Howard J. Symons

cc: Hon. Robert McDowell
Rosemary Harold

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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