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April 15, 2010

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

**Re: Notification of Ex Parte Presentation of Time Warner Cable, et al., MB  
Docket No. 10-71**

Dear Ms. Dortch:

On April 15, 2010, the following representatives of the petitioning parties (the "Petitioners") and I met with Sherrese Smith, Legal Advisor for media issues to Chairman Genachowki, to discuss the petition for rulemaking to amend the Commission's rules governing retransmission consent: Gigi Sohn of Public Knowledge; Stacy Fuller of DirecTV; Linda Kinney and Alison Minea of Dish Network; Brian Ford of the Organization for the Promotion and Advancement of Small Telecommunications Companies; Matt Polka and Chris Cinnamon of the American Cable Association; Megan Delany of Charter Communications, Dan Brenner, representing Bright House Networks; Thomas Larsen of Mediacom; and Craig Rosenthal of Suddenlink.

During this meeting, the Petitioners summarized the points made in the above-referenced Petition for Rulemaking, focusing on the fact that as a result of marketplace changes that have occurred since the retransmission consent regime was put in place nearly 20 years ago, those rules are now causing consumer harm. Specifically, broadcasters' substantially escalating demands for cash compensation have created an untenable situation in which consumers face increased subscription rates or the loss of popular programming. Recent disputes, including Mediacom-Sinclair, TWC-Fox and Cablevision-ABC, illustrate that this is an urgent and growing problem.

We also explained that retransmission consent agreements are not the product of free market negotiations. Instead, Congress and the Commission *insulated* broadcasters from market forces by granting broadcast stations immensely valuable spectrum at no charge and providing broadcasters with powerful regulatory advantages vis-à-vis MVPDs, including network non-duplication, syndicated exclusivity, channel placement, tier placement and other rights.

Finally, we urged that the Commission expeditiously move to a rulemaking proceeding in order to fully explore the consumer harm caused by the current retransmission consent regime, and to develop a record on potential solutions.

Please contact the undersigned if you have any questions regarding these issues.

Sincerely,

/s/ Cristina C. Pauzé

cc: Sherrese Smith  
Gigi Sohn  
Stacy Fuller  
Linda Kinney  
Alison Minea  
Brian Ford  
Matt Polka  
Megan Delany  
Dan Brenner  
Thomas Larsen  
Craig Rosenthal