



The WALT DISNEY Company

Susan L. Fox  
Vice President  
Government Relations

May 5, 2010

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: Ex Parte Presentation in MB Docket No. 10-71, GN Docket 09-191, WC  
Docket 07-52

Dear Ms. Dortch:

On May 4, 2010, Commissioner Meredith Baker, Brad Gillen, and Millie Kerr met with the following Disney, ESPN, and ABC representatives: George Bodenheimer (President, ESPN and ABC Sports, and Co-Chairman, Disney Media Networks), Ed Durso (EVP of Administration, ESPN), John Idler (President & General Manager, WTVD, Raleigh-Durham), Richard Bates (SVP, The Walt Disney Company), Susan Fox (VP, The Walt Disney Company), and Bill Bailey (VP, The Walt Disney Company). During this meeting, the Disney, ESPN, and ABC executives addressed several issues.

First, the Disney, ESPN, and ABC executives discussed the Petition regarding retransmission consent filed recently with the FCC, stressing that the Petition lacks factual and legal merit, and that the negotiation of retransmission consent agreements should be left to the private marketplace and that there is no factual or legal basis for the FCC to intervene in those negotiations or require interim carriage of broadcast stations. Moreover, the Disney, ESPN, and ABC executives noted that additional government involvement in these negotiations would only encourage parties to abandon the negotiating table in favor of prolonged regulatory proceedings. More generally, the Disney, ESPN, and ABC executives discussed and left behind the attached study, which addresses the relationship between video programming costs and cable prices and the competitive environment in which programmers currently operate.

The Disney and ESPN executives also touched on ESPN3.com (formerly ESPN360.com), stressing that the business model for ESPN3.com has nothing to do with net neutrality. The Disney and ESPN executives noted that ESPN3.com now is available to more than 50 million broadband subscribers and that it provides access to thousands of full game telecasts, many of which would not otherwise be available.



Pursuant to Section 1.1206 of the Commission's rules, an original and one copy of this letter are being filed as notice of this meeting. The proceedings at issue are not restricted and therefore presentations are permitted, but must be disclosed.

Sincerely,

A handwritten signature in blue ink that reads "Susan L. Fox". The signature is written in a cursive, flowing style.

Susan L. Fox

cc: Commissioner Meredith Baker  
Brad Gillen  
Millie Kerr