



June 15, 2010

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

***Ex Parte Notice***

***In the Matter of the Petition for Rulemaking to Amend the Commission's Rules Governing Retransmission Consent, MB Docket No 10-71***

Dear Ms. Dortch:

On Monday, June 14, 2010, Keith Galitz, member of the National Telecommunications Cooperative Association (NTCA) and President and General Manager of Canby Telecom, located in Canby, Oregon, NTCA's Manager, Video Services, Steve Fravel and the undersigned met with Eloise Gore, David Konczal, Nancy Murphy, Ron Parver and Christopher Hickman from the Media Bureau to discuss Retransmission Consent issues.

NTCA's representatives urged the Commission to open a rulemaking proceeding revisiting the retransmission consent rules. Mr. Galitz discussed his efforts to negotiate agreements with local broadcasters. He described the unequal bargaining position of small MVPDs, "take it or leave it" offerings from broadcasters, an instance when he was forced to let a local station go "dark" due to stalled retransmission consent negotiations, and the fact that as a small MVPD, his company pays more for programming than the large cable companies. The group also discussed permitting MVPDs to seek local programming from outside their DMAs, "most favored nation" pricing, rules that would provide for interim carriage of signals during negotiations and a dispute resolution process in the event of an impasse.

The attached document was handed out at the meeting and Mr. Galitz promised that additional information about his experience with retransmission negotiations would be provided in a separate filing.

Ms. Marlene H. Dortch

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Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter and enclosed document are being filed via ECFS with your office. If you have any questions, please do not hesitate to contact me at (703) 351-2020.

Sincerely,

/s/ Jill Canfield

Jill Canfield,  
Senior Regulatory  
Counsel  
Legal and Industry

Attachment

cc: Eloise Gore  
Nancy Murphy  
David Konczal  
Ron Parver  
Christopher Hickman

# Canby

November 29, 2007

Dear Canby Telcom Customer,

In the past two months, we have received inquiries from customers asking whether we will add the NFL Network or Comcast SportsNet Northwest, who will now carry a majority of the Portland Trail Blazers games, to our digital television lineup. I regret to inform you that Canby Telcom will not be able to add these networks and I would like to take this opportunity to provide you with an explanation.

The NFL Network and Comcast SportsNet Northwest will not allow us to place their programming on a separate "sports tier," so that customers who want these channels could subscribe to the tier and offset the cost to receive them. Instead, these programmers would require us to place their channels on our most popular television package – our Essentials package..

The result would be a cost to Canby Telcom of over \$3.00 per subscriber per month. Our current programming costs continue to increase between 8% and 11% year over year. While we did not impose a rate adjustment in 2007, we do have a rate increase planned for 2008 to offset a portion of our normal annual increases. With this in mind, we could not in good conscience pass on an additional \$3.00 per month increase to all customers for these two networks alone.

We regret that the NFL Network and Comcast SportsNet Northwest give us no flexibility in how we can offer their programming and are not willing to negotiate reasonable rates and carriage level requirements. Through our industry associations we have raised the issue of the unfairness of their position. If you would like to voice your opinion on the position these networks have placed on smaller television providers such as Canby Telcom, we encourage you to write your United States Senators and the Federal Communications Commission (FCC). I have provided contact information for your local Senators and the FCC below.

Canby Telcom strives to provide the very best in programming and entertainment options. This year we began a major investment program in fiber-to-the-home infrastructure and will continue to invest in this technology over the next few years. Fiber optic technology and other infrastructure upgrades will allow us to offer even higher speed Internet access, high-definition television programming and digital video recording (DVR), along with the superior TV services you have come to expect from Canby Telcom, such as video on demand and caller ID on TV.

Thank you for your continued loyalty to your local customer owned cooperative.

Sincerely,



Keith Galitz  
President/General Manager

 Canby Telecom

November 29, 2007

The Honorable Ron Wyden  
223 Dirksen Senate Office Building  
Washington, DC 20510-3703

Re: TV Programmers

Dear Senator Wyden:

Attached is a letter notifying our customers of issues we have had in dealing with the NFL and Comcast for their programming.

Specifically, we have requested the opportunity to negotiate both price and terms to carry the NFL and Comcast channels. Neither have shown a willingness to negotiate price and both have said they will not agree to allowing us to put their programming on a "sports" tier. By these restrictions they have precluded us from including their programming on our service. In our opinion, they have used their market position and power to restrict competition and consumer choice.

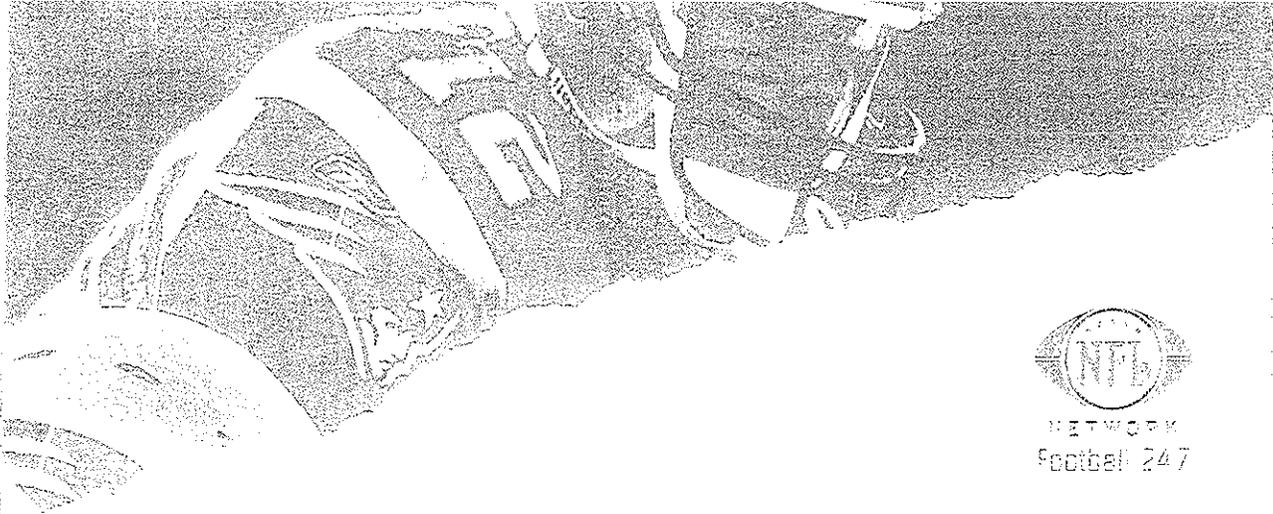
We are hopeful that you and your staff will look into programmer's practices, or encourage the FCC to take action to limit the rights of programmers.

Thank you for any assistance you might give to us and our customers.

Sincerely,



Keith Galitz  
President & General Manager



# NFL NETWORK - PUTTING FANS FIRST

## THE PATRIOTS' PERFECT SEASON IS ON THE LINE!

So far in season 10, the Patriots have taken the...  
...the Patriots' perfect season is on the line!

## PATRIOTS VS GIANTS

...the Patriots' perfect season is on the line!

