



A Professional Limited Liability Company

1333 New Hampshire Ave., NW, Fl 2
Washington, DC 20036
Telephone: (202) 872-6811
Facsimile: (202) 683-6791

Chicago Office
307 North Michigan Ave., Suite 1020
Chicago, Illinois 60601
Telephone: (312) 372-3930
Facsimile: (312) 372-3939

Barbara S. Esbin
Admitted in the District of Columbia

July 2, 2010

Via ECFS

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: Notice of Ex Parte: In the Matter of Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licenses, MB Docket No. 10-56; Petition for Rulemaking to Amend The Commission's Rules Governing Retransmission Consent, MB Docket No. 10-71; Framework for Broadband Internet Service, Notice of Inquiry, GN Docket No. 10-127.

Dear Ms. Dortch:

On June 30, 2010, John Goodman, Broadband Service Provider Association (BSPA), Felix Boccuci, Knology, Jack Day, SureWest, Richard Ramlall and Thomas Steel, RCN, Gary Evans, Hiawatha Broadband, Matthew Polka and Ross Lieberman, the American Cable Association (ACA), and the undersigned, met with Joshua Cinelli, Office of Commissioner Copps. In the meeting, Knology and RCN discussed their recent decision to become ACA members. The current members of the BSPA, which include Knology, RCN, SureWest, and Hiawatha, also explained their collective decision to entrust ACA with the primary responsibility of representing the interests of BSPs in light of marketplace changes and the congruence of policy interests between BSPs and mid-size and smaller independent providers of voice, video and broadband. The attached material formed the basis of our discussion.

The ACA/BSPA participants focused on core issues of historical interest to the two groups, including the difficulties concerning both access to programming and access to programming on reasonable prices, terms, and conditions, in particular, the parties discussed difficulties concerning retransmission consent negotiations.

ACA, SureWest, Knology, and Hiawatha separately discussed matters related to the combination of Comcast's programming and distribution assets with NBC Universal's suite of broadcast and cable programming assets for both conventional MVPD and newer online video distribution platforms.¹

¹ See American Cable Association, Comments, In the Matter of Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licenses, MB Docket No. 10-56 (June 21, 2010).

Jack Day, speaking on behalf of SureWest, also expressed concern that regulatory uncertainty arising from the Commission's simultaneous consideration of broadband Internet service reclassification, reform of universal service funding and intercarrier compensation coming at the same time that smaller cable operators and MVPDs are facing ever increasing costs of programming acquisition, was creating a "perfect storm" impeding its ability to attract investment capital and therefore maintain a viable business.

Finally, John Goodman discussed the value of new segmentation for data collection in the context of the Commission's existing statistical reporting efforts, and suggested that more focus be given to collecting data on all competitive wireline broadband/triple play providers that can document the level of wireline video competition and the impact on the markets they serve.

If you have any questions or require further information, please do not hesitate to contact me directly. Pursuant to section 1.1206 of the Commission's rules, this letter is being filed electronically with the Commission.

Sincerely,

/s/
Barbara S. Esbin

Enclosure

cc (via email): Joshua Cinelli

AMERICAN CABLE ASSOCIATION

FCC Agenda – Talking Points for BSPA Transition Meetings

June 30, 2010

- **About BSPA**
 - Reason for Formation in 2001
 - Wireline Competition Program Access Issues
 - All existing trade groups were predominantly incumbent
 - BSPA Successes over the Years
 - Program Access
 - Franchise Reform
 - Current Membership
 - Knology (Acquired PrairieWave, Graceba)
 - RCN (Acquired StarPower)
 - SureWest (Acquired Everest Connections)
 - Hiawatha Broadband
- **Transformation of Industry in Time Since BSPA Formed**
 - Bundled/Triple-Play strategies have become the industry norm
 - Incumbents expanding into new wireline services
 - Historical data reporting structures are not as relevant and need to be rethought
- **Current Issues Important to BSP's**
 - Program Access
 - Retransmission Consent
 - Program access issues expanding to broadband, over-the-top video.
 - Comcast/NBCU
 - Broadband Reclassification
 - Network Neutrality
- **BSPA Members Decide to Join ACA**
 - ACA Has Many Members who are Cable Competitors (BSPs, Municipalities, etc.)
 - ACA Supportive of BSP Core Issues
 - ACA Raises Concerns about Comcast-NBCU
 - ACA Raises Concerns about Retransmission Consent
 - Continuing program access issues (cost and access).
- **ACA Response**
 - ACA Pleased to have the BSPA Members Join ACA
 - Good Companies Providing Good Service
 - Decision Reaffirms that ACA Not About Protecting Incumbents
 - ACA Committed to Ensuring Fair Competition, Which is Good for Consumers
 - ACA Focused on Retransmission Consent, Comcast-NBCU, USF, Broadband