



National Cable & Telecommunications Association
25 Massachusetts Avenue, NW – Suite 100
Washington, DC 20001
(202) 222-2300
www.ncta.com

Jennifer K. McKee
Vice President and Associate General Counsel

(202) 222-2460
(202) 222-2446 Fax

November 18, 2010

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

**Re: Implementation of Section 224 of the Act, WC Docket No. 07-245
A National Broadband Plan for Our Future, GN Docket No. 09-51**

Dear Ms. Dortch:

On November 17, 2010, on behalf of the National Cable & Telecommunications Association (NCTA), Paul Glist of Davis Wright Tremaine and Jennifer McKee and Steve Morris of NCTA met with Marv Sacks, Jenny Prime, Dick Kwiatkowski, Al Lewis, Wes Platt, Jeremy Miller, and Bill Dever of the Wireline Competition Bureau to discuss NCTA's comments filed in the pole attachment rulemaking proceeding in the above-referenced dockets. NCTA expressed strong support for the rate proposals contained in the Commission's May 20, 2010 further notice of proposed rulemaking and encouraged the Commission to adopt those proposals expeditiously. We explained that the statutory language of section 224 of the Act is sufficiently broad to authorize adoption of the Commission's rate proposals and that nothing in the legal analysis offered by electric utilities compels a different conclusion. We also expressed support for the reconsideration petition filed by a number of state cable associations and explained why the "insufficient capacity" exception in section 224(f) should be read narrowly and in accordance with the nondiscrimination requirement in that section.

Respectfully submitted,

Jennifer K. McKee

cc: M. Sacks
J. Prime
D. Kwiatkowski
A. Lewis
W. Platt
J. Miller
B. Dever