



December 9, 2010

VIA ELECTRONIC FILING

Ms Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Avenue SW
Washington, DC 20554

Re: Ex Parte Filing
MB 10-56 and MB 09-191

Dear Ms. Dortch:

This letter is to provide notice of an *ex parte* meeting in the above reference matters. On December 9, 2010, at 11:00 am Dean Nielsen of Cerillion N4 Partners LLC, consultant with ivi, Inc., Todd Weaver, CEO of ivi, Inc., and Ron Erickson, Chairman of ivi, Inc. met with Rosemary Harold, Legal Advisor, Office of Commissioner Robert McDowell.

During the meeting, representatives of ivi, Inc. provided an overview of ivi's innovative technology, which provides live streaming television over the Internet. As a consequence of ivi's business activities they related ivi's experience with the inhibitors to competitive access to content resulting from Comcast's existing contracts and market position. They expressed their concern that the proposed Comcast/NBCU merger could further limit access to content limiting consumer choice and increasing consumer cost. They explained that ivi's service provided a low cost option for those consumers eager to "cut the cord" of Comcast and other cable providers and obtain an *ala carte* offering of content at reasonable cost. They further expressed their strongly held belief in support of net neutrality. They contended that the proposed merger could have a limiting effect on net neutrality.

ivi's representatives asked that the FCC, in reviewing the Comcast/NBCU merger and net neutrality:

-treat all forms of content distribution (cable/satellite/fiber/Internet and any other) equally,

-provide an environment where competition can thrive free from contractual inhibitors,

-provide an environment where consumers can have low-cost choices

-bolster and reinforce an environment where innovation can thrive

-limit support for outmoded business models built on legacy infrastructure

At the end of the day, ivi is simply seeking an environment where Comcast, ivi, and all current or future forms of distribution have equal access to content – an environment where every entity can compete fairly, allowing consumers to make the choice, not have their choices dictated to them.

Pursuant to the Commission's Rules this *ex parte* notice is being filed electronically through the Commission's Electronic Comment Rules System procedure. Please do not hesitate to contact me at Todd@ivi.tv or at 206-240-5820 should you have any questions regarding this filing.

Sincerely,

Todd Weaver
Chief Executive Officer