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**Barbara S. Esbin**  
Admitted in the District of Columbia

April 6, 2011

**Via ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation of American Cable Association (“ACA”); *In the Matter of Video Device Competition*, MB Docket No. 10-91; *In the Matter of Implementation of Section 304 of the Telecommunications Act of 1996*, Commercial Availability of Navigation Devices, CS Docket No. 97-80; *In the Matter of Compatibility Between Cable Systems and Consumer Electronics Equipment*, PP Docket No. 00-67.**

Dear Ms. Dortch:

On April 5, 2011, Ross J. Lieberman, American Cable Association; Cash Hagen, Chief Technical Officer, and Gary Nilsen, VP, Engineering, WOW!; Jeremy M. Kissel, Cinnamon Mueller (telephonically); and the undersigned, met with Michelle Carey, Alison Neplokh, Mary Beth Murphy, Steven Broeckaert, Brendan Murray, Lyle Elder of the Media Bureau to discuss the Bureau’s expected “AllVid” proceeding.

Mr. Lieberman stated that he was encouraged that the Commission is now considering a more flexible approach for multichannel video programming distributors (“MVPDs”) in its efforts to create a robust market for navigation devices. Mr. Hagen and Mr. Nilsen then discussed WOW!’s multi-year process of transitioning to an Internet-protocol based delivery of video programming, highlighting the complexities faced by a smaller operator, particularly as a result of the substantial costs, and difficulties acquiring authentication rights from programmers.<sup>1</sup> Mr. Lieberman pointed out that, unlike WOW!, the vast majority of ACA members have not yet even considered transitioning to an IP-based video delivery platform, and currently are more focused on completing their transitions from analog to digital.<sup>2</sup> In closing, Mr. Lieberman urged the Commission to move cautiously with regulations intended to promote the commercial availability of navigation devices. He advised the Commission to keep in mind that overly burdensome mandates imposed over too aggressive a timetable, have before, and could again produce unintended consequences, that result in more harm than good for consumers, particularly for those served by smaller ACA members.

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<sup>1</sup> WOW! is ACA’s third-largest member company, with systems located primarily in urban areas, and using an advanced network architecture.

<sup>2</sup> The majority of ACA members have less than 2,000 total video subscribers, and some of these operators are still operating analog-only systems.

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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,

  
Barbara S. Esbin

cc (*via email*): Michelle Carey  
Alison Neplokh  
Mary Beth Murphy  
Steven Broeckaert  
Lyle Elder  
Brendan Murray  
Ross Lieberman  
Cash Hagen  
Gary Nilsen  
Jeremy Kissel

**CINNAMON MUELLER**