



June 10, 2011

Dave Grimaldi  
Chief of Staff and Media Legal Advisor  
Office of Commissioner Mignon Clyburn  
Federal Communications Commission  
Washington, DC 20554

RE: Docket 07-42

Dear Mr. Grimaldi:

In my meeting with you on June 7, and in my June 9 notice concerning that meeting, I erroneously stated that the constitutionality of Section 616 of the Communications Act has been upheld.

Several of my astute and eagle-eyed professional colleagues have inquired about this statement. It turns out that the case I had in mind, *Time Warner Entertainment Co., LP v. FCC*, 97 F.3d 957 (D.C. Cir. 1996), actually dealt with several different sections of the Communications Act.)

I regret the error.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Jay Schwartzman".

Andrew Jay Schwartzman