

Leora Hochstein  
Executive Director  
Federal Regulatory



1300 I Street, NW, Suite 400 West  
Washington, DC 20005

Phone 202 515-2535  
Fax 202 336-7922  
leora.l.hochstein@verizon.com

July 6, 2011

**Ex Parte**

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

**Re: Leased Commercial Access; Development of Competition and Diversity in Video Programming Distribution and Carriage, MB Docket No. 07-42**

Dear Ms. Dortch:

On July 5, 2011, Will Johnson and I met with Erin McGrath, Acting Legal Advisor to Commissioner Robert McDowell, regarding Verizon's position in the above-captioned proceeding. We discussed our concern that the FCC may seek to expand the scope of the program carriage rules to provide that independent programmers may file program carriage complaints not only against a multichannel video programming distributor (MVPD) that allegedly discriminates in favor of its own similarly situated programming, but also against an MVPD that allegedly discriminates in the carriage of channels affiliated with *any other* MVPD. This proposed change in the rules – assuming tacit collusion among all MVPDs – would be unlawful and inappropriate, particularly as applied to a competitive provider like Verizon. Verizon competes head-to-head with large vertically-integrated cable incumbents everywhere that it provides service and has no incentive whatsoever to discriminate *in favor of* these competitors' programming and against independent programmers. And this fact would be true regardless of whether Verizon owns or develops its own programming – something that the Commission's rules should not discourage.

Sincerely,

A handwritten signature in black ink that reads "Leora Hochstein".

cc: Erin McGrath