



October 17, 2011

**VIA ECFS**

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

Re: *Amendment of the Commission's Rules Related to Retransmission Consent*, MB Docket No. 10-71; *2010 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules*, MB Docket No. 09-182

Dear Ms. Dortch:

On October 13, 2011, Robert Quicksilver, Executive Vice President and Chief Administrative Officer, Christin McMeley, Vice President, Government Affairs and Chief Privacy Officer, and the undersigned of Charter Communications, Inc. (“Charter”) met with Sherrese Smith, Senior Counsel and Legal Advisor to Chairman Genachowski, and William Lake, Media Bureau Chief, and then met separately with William Lake, Michelle Carey, Nancy Murphy, Krista Witanowski, Steven Broecker, Rebecca Hanson, and Diana Sokolow of the Media Bureau.

In both meetings, Charter reiterated the arguments made in its comments and reply comments in the above-referenced retransmission consent proceeding.<sup>1</sup> Specifically, Charter explained that the Commission has ample statutory authority to implement new regulations governing retransmission consent.<sup>2</sup> Charter also explained the need for FCC rules prohibiting retransmission consent leveraging by multiple broadcasters acting in concert. Charter repeated the arguments against such practices made in NCTA's reply comments in MB Docket No. 09-182, at pages 2 to 4.<sup>3</sup> On this subject, Charter explained that instances where one company controls multiple “big four”<sup>4</sup> broadcast television stations through an LMA or SSA can lead to a

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<sup>1</sup> Charter Comments, *Amendment of the Commission's Rules Related to Retransmission Consent*, MB Docket No. 10-71 (filed May 27, 2011); Charter Reply Comments, *Amendment of the Commission's Rules Related to Retransmission Consent*, MB Docket No. 10-71 (filed June 27, 2011).

<sup>2</sup> Charter Comments at pp. 3-5.

<sup>3</sup> NCTA Reply Comments, *2010 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules*, MB Docket No. 09-182 (filed July 26, 2010).

<sup>4</sup> The “big four” refer to the top four broadcast networks based on viewership – ABC, CBS, NBC, and Fox.

severe escalation of retransmission consent fees. Charter discussed specific instances where several broadcast stations in a market, including at least two of the big four, have designated one representative to negotiate for them as a group, and in some instances, several broadcast stations in *different* markets, including at least two of the big four, have designated one representative to negotiate for them as a group. These kinds of practices escalate the leverage broadcasters have over cable retransmission consent fees, and in turn harm consumers.

Charter also reiterated its arguments that the FCC should impose transparency, non-discrimination, and tying prohibition conditions on broadcasters' existing "good faith" negotiating obligations in order to retard the unreasonable escalation of retransmission consent fees.<sup>5</sup>

Please contact me with any questions.

Sincerely,

G. Patrick Webre  
Senior Director and Senior Counsel  
Charter Communications, Inc.

cc: Sherrese Smith  
William Lake  
Michelle Carey  
Nancy Murphy  
Krista Witanowski  
Steven Broeckaert  
Rebecca Hanson  
Diana Sokolow

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<sup>5</sup> Charter Reply Comments at pp. 4-6.