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EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Implementation of the Commercial Advertisement Loudness Mitigation
(CALM) Act; Docket No. 11-93**

Dear Ms. Dortch:

On November 3, 2011, Diane Burstein, Vice President and Deputy General Counsel of the National Cable & Telecommunications Association (“NCTA”), Andy Scott, Vice President, Engineering, Science & Technology, NCTA, Steve Mace, Senior Director, Systems Technology, Science & Technology, NCTA, Jerry Parkins, Director of Digital Technology & Standards, Comcast Corporation, and I had a telephone conference with Alison Neplokh and Shabnam Javid of the Media Bureau and Eloise Gore of the Enforcement Bureau to discuss testing for CALM Act compliance.

We reiterated NCTA’s view that testing for compliance with A/85 could occur over a shorter period than 24 hours. We also explained the automated and manual processes that would be necessary to determine whether a particular network’s commercials were complying with A/85. We discussed the potential burdens that could be imposed if a large number of networks had to be tested for that length of time, especially since some widely-used equipment only tests a single channel at a time.

Respectfully submitted,

/s/ Rick Chessen

Rick Chessen

cc: Alison Neplokh
Shabnam Javid
Eloise Gore