

April 16, 2014

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554  
*SENT VIA MAIL*

***Ex-Parte Meetings on Comcast/Time Warner Merger with Four FCC Commissioners  
and/or Senior Staff during Week of April 7<sup>th</sup>  
(Application of Comcast Corp. and Time Warner Cable Inc. for Consent to Assign or Transfer  
Control of Licenses and Authorizations, MB Docket No. 14-57)***

Dear Ms. Dortch,

The National Asian American Coalition, accompanied by the National Christian Hispanic Leadership Conference, the Jesse Miranda Center for Hispanic Leadership and the leadership representing 5,000 AME churches,<sup>1</sup> met with Gigi Sohn, Special Counsel for External Affairs to Chairman Tom Wheeler on April 9<sup>th</sup> to discuss Black, Latino and Asian American concerns and initial opposition for the Comcast/Time Warner merger.

The groups discussed in large measure the issues raised in their initial filing with the FCC on February 21<sup>st</sup>, "Growing Concerns Regarding Comcast Acquisition of Time Warner and its Impact on Innovation, Minority Media and Further Consolidation in Related Industries," and their growing concerns as to Comcast's potential for broadband dominance.

The groups also discussed their concern that Comcast has not yet made any substantial public interest commitments that would substantially benefit underserved communities or minorities and had selectively met with a narrow aspect of the minority community that did not, in the context of the meeting, represent the interests of the minority community in this proposed merger, including Black and Latino evangelical church groups.

The groups also discussed their support for a rapid conversion from landline to wireless if it could be conducted and implemented in a fashion that would benefit underserved communities, serve the overall public interest and expand investments and coverage of broadband.

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<sup>1</sup> Pastor Mark Whitlock is the Director of Corporate Partnerships and the Pastor of the largest Black church in

Lastly, the groups discussed their concerns that the FCC mechanisms for securing complaints grossly understated the concerns of underserved communities and minorities as it affected both the cable and telecommunications industry, including those relating to Comcast and cable generally. (Estimated less than 2% filed by Latinos, 1% by Blacks and far less than 1% by Asian Americans and those with major language barriers.) The meeting lasted approximately 40 minutes.

Similar meetings focusing on the same subject matters occurred on Thursday with FCC Commissioner Michael O’Rielly.<sup>2</sup> Similarly, covering the same subject matters, meetings were held with FCC Commissioner Pai’s Chief of Staff Matthew Barry and with Priscilla Delgado Argeris and Clint Odum, Legal Advisor and Policy Director to FCC Commissioner Jessica Rosenworcel. These meetings lasted between 25 and 30 minutes each.

These meetings were a supplement to the April 7<sup>th</sup> meeting with the Assistant Attorney General, William Baer, the head of the Antitrust Division of the Department of Justice, with whom the parties have previously filed the complaint in opposition to the Comcast/Time Warner proposed merger. (No direct discussions were held with William Baer although some of the discussions were held on the above matters with his senior staff.)

Further, in emphasizing the FCC’s present inability to determine the extent of concerns and complaints by underserved communities, including 130 million minorities, the parties met with FTC commissioner Maureen Ohlhausen on April 7<sup>th</sup> and with FTC Commissioner Julie Brill on April 10<sup>th</sup>.

Further, the parties also discussed the lack of undeserved community filings with federal agencies in general, including those with the FCC, in the Comcast/Time Warner proposed merger with the Director of the Consumer Financial Protection Bureau, Richard Cordray, on April 9<sup>th</sup>.

In addition, some of the parties herein met with the Counsel to Senator Patrick Leahy, Garrett Levin, and Rita Lari Jochum, Chief Civil Counsel to Senator Chuck Grassley, on April 7<sup>th</sup> and with the Chief Counsel on Judiciary for Senator Diane Feinstein, Neil Quinter, on April 10<sup>th</sup> to discuss Comcast/Time Warner merger and the flaws in the FCC complaint system for grossly understated minority complaints. These comments related solely to the Comcast/Time Warner merger, including those available to the Department of Justice and the FCC for underserved communities relating to the merger.

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<sup>2</sup> Also joined by the Executive Director of the Los Angeles Latino Chamber of Commerce.

None of the discussions took into account the 650 page filing by Comcast/Time Warner before the FCC on April 8<sup>th</sup>. Therefore, additional comments relating thereto will be filed with all five FCC commissioners, with the Department of Justice's Antitrust Division and with key members of the Senate Judiciary Committee.

Most respectfully,



Robert Gnaizda

Counsel for the above referenced National Asian American Coalition and Hispanic and Black Churches

Cc: Chairman Tom Wheeler  
Commissioner Mignon Clyburn  
Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai  
Commissioner Mike O'Rielly  
Vanessa Lemme  
Marcia Glauberman  
William Dever  
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