



September 23, 2014

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

Re: Notice of Ex Parte Communication, MB Docket Nos. 12-3 and 10-71

Dear Ms. Dortch:

On Monday, September 22, 2014, Jane Mago, Executive Vice President and General Counsel and the undersigned of the National Association of Broadcasters (NAB) met with Commissioner Mignon Clyburn, and her Chief of Staff and Senior Legal Advisor Adonis Hoffman, and her law clerk Nellie Foosaner. We also separately met Monday with Erin McGrath, Legal Advisor to Commission Michael O’Rielly. On Tuesday, September 23, 2014, we met with Maria Kirby, Legal Advisor to Chairman Tom Wheeler. In each of these meetings we discussed the sports blackout rules, which the Commission has proposed to eliminate, and other program exclusivity rules.

NAB urged the offices to be aware of public misunderstanding and unintended consequences likely to follow repeal of the FCC sports blackout rules. In addition, they emphasized the continuing need for other exclusivity rules, including the network non-duplication rules and the syndicated exclusivity rules. These other exclusivity rules implicate a much larger portion of broadcast programming, and their elimination could substantially undermine the economic foundation that supports localism. For a host of reasons, including the counterbalancing effect of the compulsory copyright license that allows cable systems to bypass arms-length negotiations with certain copyright holders, eliminating the other exclusivity rules would not be in the public interest.

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Respectfully submitted,

A handwritten signature in black ink that reads "Scott Goodwin". The signature is written in a cursive, slightly slanted style.

Scott Goodwin  
Associate General Counsel  
National Association of Broadcasters

CC: Erin McGrath  
Adonis Hoffman  
Maria Kirby