



April 6, 2010

Chairman Julius Genachowski
Commissioner Meredith Attwell-Baker
Commissioner Mignon Clyburn
Commissioner Michael Copps
Commissioner Robert McDowell
Media Bureau Chief William Lake
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

***Mabuhay Alliance Request for Ex Parte Meetings Pursuant to
April 5th Order (MB Docket No. 10-56)***

Dear Chairman Genachowski, Commissioners Baker, Clyburn, Copps and McDowell, and Mr. Lake,

Mabuhay Alliance, on behalf of the growing and diverse Asian American population in the United States, is gratified by this Commission's decision of April 5th suggesting *ex parte* meetings to further address the concerns of underserved minorities in this proceeding. We also are gratified that this Commission intends to ensure substantial public participation and that this Commission will be reviewing the Comcast application in the context of public interest, including diversity concern.

We hereby request a 15 to 20 minute meeting during the week when our President and CEO will be in D.C. (April 14th to 16th), to discuss the most effective fashion in which the Asian American community and other minority groups, such as the Black Economic Council and the Latino Business Chamber of Greater L.A., could share our concerns relating to diversity and can ensure an expeditious resolution of this matter in a fashion that ensures broad and effective public input.¹

¹ Please note that the Black Economic Council filed its comments in this proceeding on March 29th and the Latino Business Chamber of Greater L.A. filed its comments on March 26th. Both groups share Mabuhay Alliance's concerns on the need for widespread public hearings and the gathering of crucial diversity data. In fact, the Black Economic Council calls for hearings in every state with two million or more African Americans and half of the remaining states with one million or more African Americans. Please note that as of April 6th, it appears that no other Asian American, African American or Latino groups have filed opposition of this acquisition.



At our *ex parte* meeting, we would like to discuss the following (we are amenable to any Comcast senior representatives, including legal counsel joining us, although we will not have legal counsel with us):

- Expediting the public hearing process without delaying the decision making process or the fact-finding process. Within this, we wish to discuss widespread notice for public hearings since the FCC is not always the household name outside the beltway.
- How we can assist the staff, in the absence of an appointment of a Special Master, in fact-gathering, including diversity issues where Comcast and NBC Universal are delinquent, including content and stereotyping of minorities.
- The FCC, during its procedures and influence to bring the parties together either in D.C. or elsewhere to discuss areas of mutual concern in order to minimize delay and promote a win-win solution. If the FCC cannot gather the data, we wish to discuss the mutual selection by the parties of an independent fact-finder to gather such data expeditiously.²

In order to help expedite the proceeding, we will contact each of the commissioners and appropriate senior staff for the abovementioned *ex parte* meeting request from the April 5th Order by the FCC Media Bureau.

We again extend the invitation to Comcast's senior representatives to attend such *ex parte* meetings. With the permission of the commissioners with whom we meet, we will also request, in order to help consolidate and expedite the proceeding that representatives from the other minority groups that have filed with similar concerns (the Black Economic Council and the Latino Business Chamber of Greater L.A.) also attend.

² Mabuhay Alliance has reached out to Comcast CEO Brian Roberts, as noted in our prior filing, on five occasions beginning in July 2009. Last week, after Mabuhay Alliance filed its March 29th "Asian American Response to Comcast 'Joint Opposition to Request to Stop Merger Proceedings (by Mabuhay Alliance)'" , Comcast agreed to informally meet with Mabuhay Alliance at a middle management level. However, they would not allow legal counsel or representatives from the Black Economic Council, the Latino Business Chamber of Greater L.A. or any minority groups to join the meeting. The meeting was positive, but Mabuhay Alliance reiterated the importance of all minority groups with concerns meeting with CEO Brian Roberts as quickly as possible to help expedite the proceeding and eliminate barriers where the parties are in agreement.



Sincerely,

A handwritten signature in cursive script that reads "Faith Bautista".

Faith Bautista
President and CEO

A handwritten signature in cursive script that reads "Mia Martinez".

Mia Martinez
Deputy Director

Cc: Marlene H. Dortch, FCC
William Freedman, FCC
Best Copy and Printing, Inc.
Jessica Almond, FCC
Vanessa Lemmé, FCC
Michael H. Hammer, Counsel for Comcast Corporation
A. Richard Metzger, Counsel for General Electric Company
Bryan N. Tramont, Counsel for NBC Universal, Inc.
Len Canty, Black Economic Council
Jorge Corralejo, Latino Business Chamber of Greater L.A.

A large, stylized handwritten signature in cursive script that reads "Faith Bautista".