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October 18, 2010

VIA ELECTRONIC FILING

The Honorable Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *In the Matter Applications of Comcast Corporation, General Electric Company, and
NBC Universal, Inc. to Assign and Transfer Control of FCC Licenses*, MB Docket No.
10-56; Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

On October 14, 2010, Doug Sylvester and Adam Salassi of Avail Media, Inc. dba Avail-TVN (“Avail-TVN”), Stephen Ryan and Joel Grosberg of McDermott Will & Emery LLP, counsel to Avail-TVN, and Professor Benjamin Edelman, economic consultant to Avail-TVN, met, at the Commission’s request, with the following Commission personnel to discuss the above referenced transaction: James Bird, Virginia Metallo and Joel Rabinovitz of the Office of General Counsel; William Beckwith, William Freedman, Judith Herman, Marcia Glauberman, Daniel Shiman, and Jennifer Tatel of the Media Bureau; and Jonathan Baker, Chuck Needy, and Paul LaFontaine of the Office of Strategic Planning and Policy Analysis.

During this meeting, Avail-TVN representatives discussed the potential harms to video delivery services that would result from the combination of Comcast and NBCU. Avail-TVN discussed the ways in which, absent appropriate safeguards, Comcast/NBCU could use the addition of NBCU content to disadvantage Comcast’s and iNDemand’s video delivery service competitors by foreclosing NBCU content or raising rivals’ costs. In addition, post-transaction, Comcast/NBCU would have a greater incentive and ability to harm video delivery service competitors by 1) denying access to NBCU content or offering restricted versions of such

October 18, 2010

Page 2

programming; 2) bundling or interlinking NBCU content with video delivery services or carriage contracts; and 3) engage in predatory pricing to eliminate Comcast's and iNDemand's rivals for video delivery services.

To address these potential harms, Avail-TVN discussed with staff Avail-TVN's suggested remedies. First, Avail-TVN requests that the Commission require all Comcast-controlled entities to provide equal access and reasonable prices for all NBCU and Comcast-controlled content to all video delivery service competitors in all formats. Second, the Commission should prohibit Comcast from interlinking or bundling its MVPD, any Comcast-controlled content, and Comcast-controlled video delivery services (including iNDemand) to foreclose competition and reduce customer choice.

Pursuant to Section 1.1206(b) of the Commission's Rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-referenced proceeding. Should any questions arise concerning this notice, please communicate with undersigned counsel for Avail-TVN.

Very truly yours,

/s/ Stephen M. Ryan

Stephen M. Ryan

cc:

Jonathan Baker
James Bird
Joel Rabinowitz
William Freedman
Virginia Metallo
Jennifer Tatel
Daniel Shiman
Marcia Glauberman
Judith Herman
William Beckwith
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