

November 23, 2010

VIA ELECTRONIC FILING

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

Re: *In the Matter of Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licensees, MB Docket No. 10-56*

Dear Ms. Dortch:

On November 22, 2010, Matt Bond, Executive Vice President of Content Acquisition, and Kathy Zachem, Vice President, Regulatory and State Legislative Affairs, both of Comcast Corporation; Rick Cotton, Executive Vice President and General Counsel, NBC Universal, Inc.; Arthur Burke, Davis Polk & Wardwell LLP; and the undersigned (collectively, "Applicants") met with John Flynn, Senior Counsel to the Chairman for Transactions; Rick Kaplan, Chief Counsel and Senior Legal Advisor to the Chairman; William Lake, Chief, Media Bureau; and Jonathan Baker, Chief Economist.

Consistent with their previous filings, Applicants reiterated that the record evidence demonstrates that there is no need for imposing conditions related to the online distribution of video programming. Applicants also emphasized the complications of applying program access-type rules to online video.

To the extent, however, the FCC were to consider such a regime, Applicants emphasized the following:

- The program access rules were designed to regulate traditional linear delivery of video programming, a market with an established business model. In the nascent, rapidly-evolving online video market where there is no established business model, it would be difficult as a practical matter to compare distributors for purposes of determining whether a programmer had unreasonably discriminated against a distributor. It is critical, therefore, that the Commission consider these differences as it considers any new dispute resolution regime.

- It also would be necessary as a practical matter to modify, and include in any such regime, the various defenses set forth in the program access rules, 47 C.F.R. § 76.1002, which, again, were established for the traditional linear delivery model, not the online video market.
- Given the ease with which one can enter the OVD market, it would be imperative that the Commission determine which OVDs would be entitled to invoke program access rights.
- The fact that many programming networks do not have the rights to license their programming for online delivery presents another practical difficulty that must be addressed as part of any imposition of an online program access-type regime on those networks.

Kindly direct any questions regarding this matter to my attention.

Respectfully submitted,

Michael H. Hammer

Michael H. Hammer
Counsel for Comcast Corporation

cc: John Flynn
Rick Kaplan
William Lake
Jonathan Baker