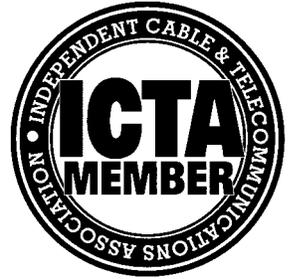


INDEPENDENT CABLE & TELECOMMUNICATIONS ASSOCIATION

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November 17, 1999

Magalie Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, SW
Washington, DC 20554

RE: Ex Parte Presentations in CS Docket No. 95-184; and International
Bureau Docket No. 98-172

Dear Madam Secretary:

As Executive Director of the Independent Cable & Telecommunications Association, I am submitting this letter regarding ex parte communications held on November 16, by the following individuals with FCC Commissioners, Cable Services Bureau Staff and International Bureau staff. (See Attached list of ICTA attendees for each meeting with Commissioners, CSB and IB staff.)

In each of the meetings, the ICTA representatives discussed with the Commissioners and the Cable Services Bureau staff the status of the Private Cable Operator (PCO) industry including a description of the number of PCOs nationwide, the technology used by these companies and the importance of altering FCC rules and regulations so that PCOs can compete more vigorously in the MDU/REIT marketplace. The ICTA representatives presented views regarding exclusive contracts and perpetual contracts as an outgrowth of the Inside Wiring Rulemaking adopted earlier by the Commission. ICTA representatives also presented views on state mandatory access statutes. ICTA member comments addressed the view that opening the MDU marketplace to enhanced video and telephony competition will have a positive impact on the delivery of services to all video and telephony customers because the MDU market represents approximately 35% of the entire US population. In order to accomplish enhanced competition, the FCC should build on the Inside Wiring Rulemaking and in the Second Further Notice of Proposed Rulemaking addressing exclusive contracts the FCC should recognize that exclusive contracts enhance competition because they are required by new and small business entities to assure lenders and other financial interests that the PCO

will have sufficient time to recoup its investment. The ICTA representatives also stated that perpetual contracts are a significant impediment to competition because franchised operators have used these contractual provisions to prevent competitors from offering services to MDU/REIT owners and operators. ICTA members also discussed how mandatory access statutes retards video competition in MDUs by preventing challengers from entering the market due to financial and penetration problems with overbuilding and how federal forced access would undo the benefits of MDU Inside Wiring and kill the existing competition from PCOs.

Therefore, in the meetings held on November 16, the ICTA representatives repeated the views and arguments expressed in the previous filings in the Second FNPRM, no additional arguments were offered in the meetings and no documents were presented to either the Commissioners or the Cable Services staff.

In meeting with representatives from International Bureau, ICTA representatives discussed reallocation of 12 GHz and 18 GHz radio spectrum.

Sincerely,

s/s William J. Burhop
William J. Burhop
Executive Director

Attachment: ICTA Meeting Attendees