



Mary C. Lovejoy
Vice President of Regulatory Affairs
American Cable Association
2415 39th Place, NW
Washington, DC 20007

mlovejoy@americancable.org
(202) 603-1735

March 8, 2019

VIA ECFS

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

Re: *Ex Parte* Communication of the American Cable Association; *Children's Television Programming*, MB Docket No. 18-202; *Modernization of Media Regulation Initiative*, MB Docket No. 17-105

Dear Ms. Dortch:

On March 6, 2019, Ross Lieberman, Sr. Vice President of Government Affairs, American Cable Association (“ACA”) and I met with Kathy Berthot, Martha Heller, Jonathan Mark, and Olivia Avery of the Media Bureau to discuss the Commission’s proceeding on Children’s Television Programming.

During the meeting, ACA urged the Commission to adopt its proposal to permit cable operators to place in their online public inspection files records demonstrating compliance with the limits on commercial matter in children’s programming once a year, rather than on a quarterly basis, as is currently required.¹ ACA also proposed that the Commission provide additional relief by increasing the amount of time after the end of a reporting period that cable operators have to collect and post programmer certifications from 10 days to 45 days. Finally, ACA urged the Commission to make clear that the Media Bureau will not adopt an official Notice of Apparent Liability for Forfeiture against a small or medium-sized cable operator regarding its compliance with the recordkeeping obligations if it can show it has made good faith efforts to collect and post all necessary certifications. ACA explained that adopting these reforms would significantly reduce the 16-20 hours per quarter burden that ACA members incur trying to collect, process, and post their certifications.

ACA urged the Commission, at the very least, to adopt these proposals for small and medium-sized operators, as the majority of cable operators carry most of the same programming, and therefore post mostly identical documents in their online public inspection files. Thus, the Commission could still ensure that children’s programming on cable networks complies with the substantive limits on commercial material by reviewing documentation posted only by larger operators.

¹ *Children’s Television Programming*, MB Docket No. 18-202, Notice of Proposed Rulemaking, 33 FCC Rcd 7041, ¶ 30 (2018).

ACA also made clear that none of its proposals would have any impact on the underlying substantive limits on commercial matter in children's programming, and noted that no parties have submitted any objections to these proposals in the record.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary C. Lovejoy".

Mary C. Lovejoy

cc: Kathy Berthot
Martha Heller
Jonathan Mark
Olivia Avery