

**COMCAST  
CORPORATION**



EXTERNAL AFFAIRS - WASHINGTON  
1317 F STREET, NW • WASHINGTON, DC 20004 • (202) 638-5678

October 26, 2000

**RECEIVED**

**OCT 26 2000**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Magalie R. Salas, Esq.  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**EX PARTE OR LATE FILED**

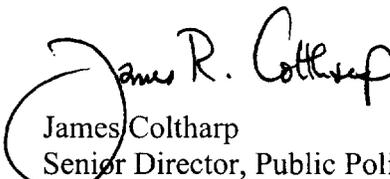
Re: AOL-Time Warner Application for Consent to Transfer of Control,  
CS Docket 00-30

Dear Ms. Salas:

On Tuesday, October 24, 2000, Alexandra Wilson, Chief Policy Counsel for Cox Enterprises, Inc., and I met with William J. Friedman, Senior Legal Advisor to Commissioner Tristani, to generally discuss the provision of advanced broadband services by Cox Communications, Inc. and Comcast Corporation, respectively. During the course of our discussions, Ms. Wilson and I made a brief presentation concerning the pending merger between AOL and Time-Warner, Inc. Pursuant to Section 1.1206(b)(2) of the Commission's rules, an original and one copy of a summary of that presentation are enclosed.

Please do not hesitate to contact me should you have any questions about this matter.

Sincerely yours,

  
James Coltharp  
Senior Director, Public Policy

Enclosure

cc: Jay Friedman

No. of Copies rec'd 0+2  
List A B C D E

***Ex Parte* Presentation by Cox Communications, Inc. and Comcast Corporation  
Concerning the Pending Merger of AOL/Time Warner**

The Commission has just opened a sweeping inquiry into the issue of whether broadband service providers, including cable operators, should be required to provide access to their platforms by unaffiliated third-party ISPs. In order not to prejudge the outcome of that proceeding, the Commission should refrain from imposing a forced access provision on AOL as a condition of its merger with Time Warner. As the Commission has previously determined in other merger proceedings, whether or not cable operators (and other broadband providers) should be subject to a forced access requirement is a question best addressed in a general proceeding rather than in the context of a particular business transaction. The imposition of a forced access requirement on AOL/Time Warner -- no matter how narrowly drawn that requirement may be -- will necessarily curtail the flexibility of other broadband providers as they pursue their own visions in the marketplace of how multiple ISPs can best be accommodated on their advanced broadband networks.