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May 28, 2002

*By Hand Delivery*

**RECEIVED**

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

**MAY 28 2002**

*Ex Parte Notice*

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

**Re: Applications for Consent to the Transfer of Control of Licenses from Comcast Corporation and AT&T Corp., Transferors, to AT&T Comcast Corporation, Transferee, MB Docket No. 02-70**

Dear Ms. Dortch:

On Friday, May 24, 2002, James R. Coltharp of Comcast Corporation ("Comcast") and I spoke by telephone with James R. Bird of the Office of General Counsel and Royce Sherlock of the Media Bureau to discuss the motion for extension of time filed by the Joint Consumer Petitioners. We indicated during that call that the merger applicants oppose the motion because this case is not governed by section 1.45, which is a default procedure to be used "except as otherwise provided" by the Commission's rules. In this case, the Commission established a pleading cycle, with comments due on April 29 and reply comments due on May 21, 2002 (as extended). Grant of the motion would introduce needless uncertainty and undermine the Commission's control over the orderly conduct of its proceedings. Further, denial of the motion would not prevent the movants in any way from supplementing their position on the record since they can do so through a written *ex parte*.

Pursuant to section 1.1206(b)(2) of the Commission's rules, an original and one copy of this letter are being filed with the Office of the Secretary. If you have any questions, please contact me.

Very truly yours,

A. Richard Metzger, Jr.

cc: Royce Sherlock  
 Erin Dozier  
 William Dever  
 Qualex International

James R. Bird  
 David Sappington  
 Cynthia Bryant

Roger Holberg  
 Donald Stockdale  
 Jeff Tobias

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