

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)
)
John Broyles d/b/a United International)
Broadcasting Network)
)
v.)
)
InterMedia)
)
Request for Injunction)

ORDER

Adopted: January 31, 2001

Released: January 31, 2001

By the Deputy Chief, Cable Services Bureau:

I. INTRODUCTION

1. John Broyles d/b/a United International Broadcasting Network (“Broyles”) has filed a letter dated January 19, 2001 requesting an injunction against InterMedia (“InterMedia”). We deny the request for injunction.

2. Broyles seeks an injunction to prohibit an interruption of his commercial leased access programming on InterMedia’s cable system in Franklin County, Tennessee, on February 1, 2001. In support of the request, Broyles asserts that recent negotiations with InterMedia to remove their requirement for proof of insurance have been unsuccessful. Broyles submitted a copy of a letter from InterMedia’s Regional Director, dated January 17, 2001, indicating that a Leased Access Agreement had been sent to Broyles for signature and stating that if the signed agreement and proof of insurance is not returned by February 1, 2001, InterMedia will discontinue cablecasting Broyles’ leased access programming on that date. Broyles contends that insurance is not required to protect InterMedia from potential liability arising from carriage of his programming, arguing that InterMedia will not incur potential liability because of the small number of subscribers exposed to his programming. Broyles also contends that the cost of the required insurance is excessive.

3. We have previously considered and rejected Broyles’ contentions that InterMedia may not require insurance to protect InterMedia from potential liability arising from carriage of Broyles’ programming.¹ Broyles has presented nothing with the current request indicating that a different result is

¹See *John Broyles d/b/a United International Broadcasting Network v. InterMedia*, DA 00-1568, (Cable Serv. Bur., released July 13, 2000); ___ FCC Rcd ___ (CSB 2000); *John Broyles d/b/a United International Broadcasting Network v. InterMedia*, DA 00-2237, (Cable Serv. Bur., released October 2, 2000); ___ FCC Rcd ___ (CSB 2000).

required or that InterMedia's insurance requirement is unreasonable or in violation of the Commission's leased access rules.

II. ORDERING CLAUSES

4. Accordingly, **IT IS HEREBY ORDERED** that the request for injunction filed by John Broyles d/b/a United International Broadcasting Network on January 19, 2001 **IS DENIED**.

5. This action is taken under delegated authority pursuant to the provisions of Section 0.321 of the Commission's rules.²

FEDERAL COMMUNICATIONS COMMISSION

William H. Johnson, Deputy Chief
Cable Services Bureau

²47 C.F.R § 0.321.