

**STATEMENT OF  
CHAIRMAN KEVIN J. MARTIN**

Re: *In the Matter of The Commission's Cable Horizontal and Vertical Ownership Limits* (MM Docket No. 92-264); *Implementation of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992* (CS Docket No. 98-82); *Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996* (CS Docket No. 96-85); *Review of the Commission's Regulations Governing Attribution of Broadcast and Cable/MDS Interests* (MM Docket No. 94-150); *Review of the Commission's Regulations and Policies Affecting Investment in the Broadcast Industry* (MM Docket No. 92-51); *Reexamination of the Commission's Cross-Interest Policy* (MM Docket No. 87-154), Fourth Report and Order and Further Notice of Proposed Rulemaking

I pleased that today the Commission takes action on an issue that is long overdue. In September 2001, at only my second Open Meeting as a Commissioner, we adopted a notice seeking comment on this issue. More than six years later, we finally adopt an order.

In 1992, Congress instructed the FCC to establish "reasonable limits" on horizontal and vertical cable ownership. Specifically, Congress in the 1992 Cable Act, directed the FCC to establish limits on the number of subscribers a cable operator is authorized to reach.

Today's Order provides appropriate justification for a 30% limit on horizontal ownership. We therefore respond to the D.C. Circuit and Congress's mandate. In so doing, we ensure that a single operator cannot unduly limit the viability of a new independent network in its formative years. As Congress observed, it is important that we "ensure that no cable operator or group of cable operators can unfairly impede, either because of the size of any individual cable operator or because of joint actions by a group of operators of sufficient size, the flow of video programming from the video programmer to the consumer." 47 U.S.C. § 533 (f)(2)(A).

As with all our ownership rules, it is important that the Commission promote competition and the diversity of voices.