



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202/418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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NEWS MEDIA CONTACT
Brigid Calamis 202-418-2200

STATEMENT OF FCC COMMISSIONER ROBERT M. McDOWELL REGARDING THE D.C. CIRCUIT'S DECISION TO STRIKE DOWN THE FCC'S CABLE OWNERSHIP CAP

The following statement can be attributed to Commissioner Robert M. McDowell:

“It was clear in December 2007, when I dissented from the FCC decision to once again impose a 30 percent national cap on cable system ownership, that the effort to re-justify the very same cap that the D.C. Circuit first struck down in 2001 was even more vulnerable to court challenge the second time around. Despite the Commission staff’s best efforts to provide *post hoc* empirical support for the chosen outcome, the court recognized that the 2007 analysis’ aging data and questionable assumptions sat oddly against the facts about new – and successful – competitors to cable systems in the multichannel video marketplace. It should go without saying that, in the future, outcomes in our proceedings should be driven by the facts and law, rather than the other way around.”

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