

Congress of the United States

Washington, DC 20515

July 21, 2009

Julius Genachowski  
Chairman  
Federal Communications Commission  
Room 8-C453  
445 12th St, SW  
Washington, DC 20554

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Dear Mr. Chairman:

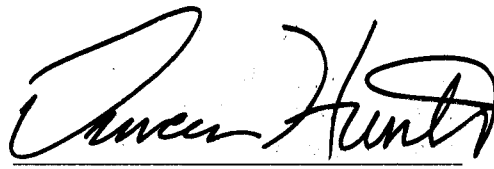
With the recent start of baseball season, we write to alert you to a situation that is harming hundreds of thousands of Padres fans in Southern California. Despite numerous overtures, Cox Communications, the incumbent cable provider in San Diego, refuses to license Padres' games to competitive video providers in the San Diego market. The result of this refusal to deal is that Padres fans have no choice but to become Cox subscribers if they want to see televised Padres baseball games.

This situation is untenable. Because Padres coverage is widely perceived as "must have" programming by San Diego residents, Cox's conduct has had a major negative impact on competition for video programming services in San Diego. This runs contrary to many years of Congressional policy - including landmark legislation that provided competitors with access to cable-owned programming - designed to provide viable competition to cable and ensure that consumers benefit from price and service competition. Moreover, local fans have felt this lack of competition as evidenced by a recent San Diego Union-Tribune editorial on the issue which noted, "...the intent of the law is unmistakable...[c]onsumers are entitled to robust competition in the delivery of television programming."

We urge you to review this situation in San Diego and inform us regarding actions that you plan to take to ensure that our constituents will have the widest possible choice of video providers when they want to watch San Diego Padres baseball.

Sincerely,

  
BOB FILNER  
Member of Congress

  
DUNCAN HUNTER  
Member of Congress

29 JUL 2009 RCVD