



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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WILLIAM T. LAKE, CHIEF, MEDIA BUREAU, STATEMENT ON RETRANSMISSION DISPUTE

I am pleased that Sinclair and Mediacom have agreed to extend their retransmission consent agreement until midnight on January 8, 2010. In the absence of an extension, Mediacom's cable systems would have ceased carrying Sinclair's broadcast television stations at midnight tonight.

The carriage negotiations between Sinclair and Mediacom came to the Commission through a retransmission consent complaint, in which Mediacom alleged that Sinclair has failed to negotiate retransmission consent in good faith, as required by statute. In response, Sinclair argued that it has negotiated with Mediacom in good faith, and that the prices Sinclair has proposed are reasonable.

We observed in discussing the statute, "[w]e believe that, by imposing the good faith obligation, Congress intended that the Commission develop and enforce a process that ensures that broadcasters and MVPDs meet to negotiate retransmission consent and that such negotiations are conducted in an atmosphere of honesty, purpose and clarity of process." See *In the Matter of Implementation of the Satellite Home Viewer Improvement Act of 1999; Retransmission Consent Issues: Good Faith Negotiation and Exclusivity*, First Report and Order, 15 FCC Rcd 5445, 5455, ¶ 24 (2000).

Despite our circumscribed role in retransmission consent negotiations, we were pleased to help to facilitate the parties' concurrence in this extension when their negotiations had not produced a new carriage agreement by today. It is our sincere hope that Sinclair and Mediacom will make every effort to reach a retransmission consent agreement during the brief extension, to spare consumers the disruption of losing the availability of Sinclair's stations on Mediacom's systems.

The extension also will have the benefit of giving consumers an additional period during which they can take steps, if desired, to obtain access to Sinclair's stations through other means in the event that Sinclair and Mediacom are unable to conclude a new agreement by January 8. It is important that all parties involved in the retransmission consent process remember that this process of private negotiation affects important consumer interests as well as the interests of the negotiating parties.

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