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United States Senate

WASHINGTON, DC 20510

November 16, 2009

Julius Genachowski
Chairman
Federal Communications Commission
445 12th St. SW
Washington, District of Columbia 20554

RE: Petitions for Declaratory Ruling Regarding Public, Educational and Governmental Access
Channels, MB Docket No. 09-13, CSR 8126 (ACM et al.),
CRS 8127 (City of Lansing, MI), and CSR 8128 (City of Dearborn, MI et al.)

Dear Chairman Genachowski:

Last Spring, I was made aware of a situation that affects local public, educational, and governmental access ("PEG") channels in Ohio.

On January 30, 2009, the Alliance for Community Media and a coalition of community media groups, municipalities, and regional organizations filed a Petition for Declaratory Ruling regarding the treatment of local PEG channels on the AT&T U-verse cable TV system. PEG access is currently required by law to be treated the same in quality, placement, and functionality as local broadcast channels on cable systems.

In a separate Petition for Declaratory Ruling, a group of Michigan cities led by Dearborn has asked for relief concerning Comcast's plan to digitize PEG channels, requiring basic service subscribers to pay extra just to continue to receive PEG channels. Like AT&T's practices, there is concern that Comcast's practices may be contrary to law and could threaten the future of PEG.

In March of 2009, I wrote a letter to Acting Chairman Michael Copps requesting that the FCC give prompt consideration to the Alliance's Petition and Dearborn's Petition. I am hoping that you can provide me with an update of this situation. PEG Access is an important resource for Ohio citizens and I hope that the Commission will soon produce a ruling that is fair, efficient, and deliberate.

I appreciate your attention to this matter.

Sincerely,

Sherrod Brown

Sherrod Brown
United States Senator

SB:df

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