



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

January 12, 2010

The Honorable Jack Reed
United States Senate
728 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Reed:

Thank you for your letter regarding the Commission's regulations governing the retransmission of "significantly viewed" television broadcast signals to cable and satellite consumers in the Providence Designated Market Area (DMA). Specifically, you are concerned that the retransmission in the Providence DMA of "significantly viewed" broadcast stations licensed to communities in Massachusetts may have a detrimental effect on the economic viability of Rhode Island broadcasters.

The Commission's "significantly viewed" rules are a narrow exception to its broadcast network programming nonduplication rules, which are designed explicitly to protect an in-market broadcaster's exclusive right to offer network programming in a specific geographic area. In 2004, with the adoption of the Satellite Home Viewer Extension and Reauthorization Act, Congress authorized satellite television carriers to provide "significantly viewed" signals to their subscribers under certain conditions. Where a station is considered "significantly viewed," cable and satellite television providers are permitted, but not required, to carry such signals.

Commission regulations permit a local network affiliate station to request a waiver of the "significantly viewed" exception so that network programming on the out-of-market network affiliate station would be subject to deletion by cable and satellite television providers. To obtain a waiver, the local broadcaster would need to demonstrate that, based on particular over-the-air viewing data that is specified in the Commission's rules, the distant station no longer is "significantly viewed" in a community. Please be assured that should one or more of the local stations licensed to the Providence DMA file a waiver request with the Commission seeking to demonstrate that a distant station licensed to a community in Massachusetts is no longer "significantly viewed," the request will receive every consideration.

I appreciate learning your views on this important matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a horizontal line.

Julius Genachowski



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

January 12, 2010

The Honorable Sheldon Whitehouse
United States Senate
502 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Whitehouse:

Thank you for your letter regarding the Commission's regulations governing the retransmission of "significantly viewed" television broadcast signals to cable and satellite consumers in the Providence Designated Market Area (DMA). Specifically, you are concerned that the retransmission in the Providence DMA of "significantly viewed" broadcast stations licensed to communities in Massachusetts may have a detrimental effect on the economic viability of Rhode Island broadcasters.

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Julius Genachowski