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Congress of the United States  
House of Representatives  
Washington, DC 20515-2107

December 15, 2009

0029

The Honorable Julius Genachowski  
Chairman  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Genachowski:

I am writing regarding the ongoing dispute between Mediacom Communications and Sinclair Broadcast Group. As you may be aware, cable customers in a dozen states are facing the risk of losing access to channels affiliated with national broadcast stations as of December 31, 2009 if the two parties fail to achieve a retransmission consent agreement.

Mediacom has filed a complaint with the Commission asserting that Sinclair is not negotiating in good faith. I take no position here on whether Mediacom's petition has merit or not. Rather, I am writing to encourage the Commission to render a timely decision on Mediacom's complaint in order to minimize the negative impact on consumers and to ensure the efficient operation of the law. A timely determination is important regardless of what finding the Commission may ultimately make. Specifically, the Commission may find that the allegations of a failure of Sinclair to engage in good faith negotiations are unfounded. If this is the outcome, then the two parties must resume hard bargaining to achieve an agreement, and if this fails, then the Commission should consider whether the public interest would be served by ordering mandatory arbitration or other measures to support the resolution of the dispute.

Alternatively, if the Commission were to determine that Sinclair has not engaged in good faith negotiations, then the Commission may need to take immediate steps to assure consumers that television service is not interrupted through no fault of their own. In either scenario, it is vitally important the Commission act upon the Mediacom complaint with sufficient time for the parties to negotiate further in order to protect consumers, such as elderly and low income households, who will likely face significant obstacles to accessing alternatives.

Thank you for your attention to this matter.

Sincerely,



Edward J. Markey

12 JAN 2010 RCPD