



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 2, 2010

The Honorable Al Franken
United States Senate
320 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Franken:

Thank you for your letter concerning recent retransmission negotiations between television broadcasters and multichannel video programming distributors (“MVPDs”), such as cable operators and satellite television providers.

I welcomed the announcement on January 7, 2010, that Sinclair Broadcast Group, Inc., and Mediacom Communications Corporation had reached a retransmission consent agreement governing the carriage of local broadcast television stations owned or operated by Sinclair. The one-year agreement provided that Mediacom would withdraw the retransmission consent complaint that it had filed with the Commission, which now has occurred. Similarly, Time Warner Cable and Fox – also facing a year-end deadline – were able to conclude a retransmission consent agreement without any disruption of service to consumers.

The record compiled in the Mediacom/Sinclair proceeding had included a number of pleadings discussing a range of additional matters related to the negotiation of retransmission consent agreements, including those that you note in your letter. As provided for in the Sinclair/Mediacom agreement, Mediacom’s complaint with the Commission has been dismissed. Nevertheless, the Commission remains concerned about the process for conducting and resolving retransmission consent negotiations, including impacts on viewers. The Communications Act and the Commission’s regulations require that both television broadcasters and multichannel video programming distributors (MVPDs) negotiate the terms and conditions of carriage in “good faith.” We will monitor future such negotiations and respond appropriately in the event of a complaint filed with the Commission. Additionally, parties are welcome to submit comments in the Commission’s 2010 Media Ownership Quadrennial Review on the effect of ownership arrangements on these matters.

I appreciate the opportunity to learn of your concerns about this important matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski