

# United States Senate

WASHINGTON, DC 20510-2309  
December 23, 2009

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The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Dear Chairman Genachowski:

I write to you today about the ongoing dispute between Mediacom Communications Corporation and Sinclair Broadcast group. As you know, the retransmissions consent agreement between Mediacom and Sinclair is set to expire on December 31, 2009. Mediacom has submitted a complaint and petition for emergency relief to the Federal Communications Commission. If Mediacom and Sinclair do not come to an agreement by December 31, cable customers around the country may lose access to various television channels.

I am not in a position to judge the merits of either Mediacom's or Sinclair's claims. However, I write to express my concern—both about the possible consequences if these companies fail to come to an agreement, and about the broader issue of Local Marketing Agreements and other types of agreements that decrease diversity in media without actually affecting media ownership.

If Mediacom and Sinclair do not come to an agreement by December 31, 2009, I have been informed that nearly 67,000 Minnesotan households may be affected. Regardless of which party's claims have merit, I urge the Commission to scrutinize the negotiations carefully and encourage the parties to come to a deal as quickly as possible. If the parties cannot come to an agreement, the Commission may wish to consider conducting oversight of the parties' mediation, or even ordering mandatory arbitration. The public interest is best served by a quick resolution of this dispute.

I am also, however, troubled by the broader issue raised in Mediacom's complaint—that Sinclair has also been negotiating the retransmission rights of other broadcasters. Increased media consolidation should be a major concern for the Commission, especially when the mechanism for consolidation evades the Commission's explicit rules on multiple broadcast ownership. Whether in the context of this dispute or in broader rulemaking, I encourage the Commission to look closely at Local Marketing Agreements and other kinds of agreements that may decrease programming choice. Thank you for your attention to this matter.

Sincerely,



Al Franken  
United States Senator

15 JAN 2010 RCUD