



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 20, 2010

The Honorable John Kerry
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter concerning the negotiations for carriage of WABC-DT, a local broadcast television station owned and operated by the Walt Disney Company on cable television systems operated by Cablevision Systems Corporation.

I am pleased that Disney and Cablevision were able to reach a retransmission consent agreement, and WABC was restored to the approximately three million Cablevision subscribers in the New York City area. At the same time, I continue to be concerned about retransmission consent negotiations that interrupt or threaten to interrupt broadcast television service to consumers who subscribe to a multichannel video programming distributor (MVPD). In recent months, the breakdown or near breakdown in negotiations among several broadcasters and MVPDs have caused some to question whether the Commission's current retransmission consent policies have kept pace with changes in the marketplace. To address this concern, late last year I directed the Commission's Media Bureau to begin a review of the Commission's policies and regulations governing retransmission consent negotiations to determine whether the existing framework remains effective, or whether reforms may be necessary to protect consumers and ensure fairness to all parties.

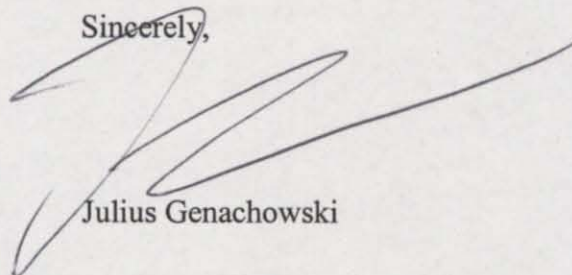
On March 9, 2010, a coalition representing a number of MVPDs and public interest groups submitted a *Petition for Rulemaking* seeking to reform the retransmission consent rules. Among other things, the *Petition* proposes that the Commission establish new mechanisms that provide for mandatory arbitration when a MVPD and the broadcaster are not able to reach a retransmission consent agreement, continued carriage of broadcast signals during the negotiation or dispute resolution process, and the adoption of rules to address the practice of tying broadcast programming to the carriage of nonbroadcast services. The Media Bureau has issued a *Public Notice* inviting public comment on the issues and proposals discussed in the *Petition*. I look forward to reviewing the comments filed in response to the *Notice*, as well as the Bureau's findings concerning its ongoing evaluation of the current retransmission consent regime. I

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appreciate your thoughts on the matter, as well, and will take them into account as the Commission examines the retransmission consent mechanism.

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 the word 'Sincerely,'.

Julius Genachowski

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