

**STATEMENT OF FCC COMMISSIONER MICHAEL J. COPPS
COMCAST/NBCU FORUM
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Thank you all for coming out today. Thanks first to our hosts here at the Northwestern University Law School for their hospitality and for letting us use this fine venue today—not for the first time, I should add. We’ve had hearings here before on the future of our media and I’ve always left those hearings knowing a lot more about the subject than when I came in. That’s because I get to hear directly from the folks who are on the receiving end of both what media produces and what Washington produces. Usually it doesn’t combine into an Emmy-winning show—far from it! So the necessary input for a decision like we’ll be called upon to make in this particular transaction has to include input from citizens across the land who know better than anyone if media is or is not serving their needs. My biggest thanks are to all those good citizens who took the time to come here today and share their perspectives with us. I am also grateful to our several panelists for coming here this afternoon and for the work they have put into fashioning their perspectives on this transaction and, I hope, on the state of our media generally. So I look forward to a candid exchange of thoughts and ideas as the day goes on.

To put it plainly, the proposed merger between Comcast and NBCU is huge—really huge. While in some respects it is similar to transactions that we have witnessed before, in other important ways it is new and novel. It’s about traditional media—broadcasting and cable—but it’s about new media—broadband and the Internet, too. So it will alter not only the media environment we are already familiar with, but it would be a scene-setter for the future and play a large role in configuring the kind of media we will be living with for years and years to come. It goes to how much control a few individual companies should have over the distribution of media. It compels us to answer whether extending that control beyond distribution to content itself does anything to advance diversity, localism and the public good. It raises questions about whether good public policy means blessing more media consolidation, like the FCC blessed so many times in recent years, or...is it time to begin pushing back the tide? And it asks whether we are so happy with our present-day media that we want our new media future on the Internet to travel down a similar road?

The last few decades, with all-too-brief interruptions, have not been kind to the public interest. On top of the industry consolidation that developed from the hyper-speculation of recent years—hyper-speculation blessed by government not just in communications but across a wide swatch of our economy’s activities—we also witnessed a rapid deterioration of public interest oversight by the FCC, the very agency charged by law to protect consumers. Put those two together—bad private choices and equally horrendous public policy choices—and you end up with serious harm to the basic tenets of the public interest: localism, diversity and competition.

I am not of the opinion that our media environment can take too many more bad choices. Our failure to recognize the power and centrality of media to our civic life has cost us dearly. The history of heedless deregulation is well-documented. Its adverse impact on our society is everywhere you look. Take our news and information. All of the industry consolidation we have endured, all of the newsroom cut-backs made as companies fight for economies of scale to curry favor with Wall Street marketeers, and all of that ideology-driven FCC evisceration of the public interest have—rather than reviving the news business—condemned us to *less* real news, *less* serious political coverage, *less* diversity of opinion, *less* minority and female ownership, *less* investigative journalism and *fewer* jobs for journalists. We are skating perilously close to denying ourselves in this country the news and information and quality civic dialogue that democracy depends on. Will we learn from this history? Or are we doomed to repeat these mistakes again and again?

Broadband and the Internet hold such vast promise for all of us. I call high-speed, high-value broadband America's "Great Enabler." There is hardly a challenge confronting this country—be it jobs or education or energy or health care or climate change or opening the doors of equal opportunity—that doesn't have an important broadband component as part of its successful resolution. But the rules of the broadband game must be as open and dynamic as the technology itself, and one thing is clear above all else: broadband and the Internet must not become the province of gate-keepers and toll booth collectors. If we allow that to happen, not only do we burden ourselves, but we kill the wonderful promise that this technology holds for us. What an awful irony of history that would be—not to mention the burden on those who are expected to pay the tolls.

So when it comes to protecting the genius and openness of the Internet, I want to know what the rules are, I want the industries to know what the rules that protects them are, I want consumers to know what the rules are, and I want a venue where, when things go wrong, they can be made right. That's not burdensome bureaucracy. That's not government meddling. That's not expecting the unattainable. Plain and simple, it's Consumer Protection 101, and none of us should be asked to settle for less. After all, that's what the FCC was designed to be over 75 years ago—a consumer protection agency.

I cannot, I will not, accept half-hearted pledges of fairness from industry when the future of the Web is at stake. And right now the assurances and conditions we have received on this Comcast/NBCU proposal don't pass the red-face test. How many times do we have to experience the fall-out when critical decisions are entrusted only to those in industry without credible public policy oversight? Do we need another round of pillaging from the financial houses to tank our economy one more time? How many more oil-soaked beaches and lost livelihoods across the Gulf must we endure before we understand that our future is ours to make—yours and mine? And when it's the media we are talking about—how we communicate, our civic conversation, our democratic dialogue that our future depends on—we realize how necessary vision and vigilance are. Lose the media and we set ourselves up to lose everything else.

One final thought. When I mention that word “diversity,” it can have several meanings. Diversity of content. Diversity of opinion. Diversity of formats. Each of those is relevant to this particular transaction. So is diversity of ownership. This transaction has positively huge implications for our country’s minorities and diverse populations. Anyone who actually thinks that ownership of our media does not significantly affect how our country is being informed is just not paying attention. While minorities currently comprise roughly 34% of the nation’s population, they own only 3.15% of full-power commercial TV stations. Think about that. And women, who make up 51% of the population, own only about 5.8% of full power commercial TV stations. These numbers are appalling. They mean that not only are minorities not getting a fair share of the action, but that their interests, their particular challenges, the many contributions they make to our nation’s daily life, just don’t get anything approaching the attention they should in all justice have. Shortchanging ownership diversity is shortchanging our civic dialogue. If a central tenet of our FCC mandate is to promote diversity in the media, which it is, then let’s make sure that we consider this challenge as we consider scene-setting deals like this one.

So let’s hear from everyone with an interest today. Let’s consider all the arguments. Let’s answer the new and novel questions this transaction thrusts upon us. And then let’s get on to the decision. The good news is that I believe we are on a track to do that. I will tell you that I am encouraged by the depth and breadth of the process that Chairman Genachowski has set up for the consideration of this proceeding. It is a level of investigation and analysis that has no equal in the years that I have been at the Commission. I am grateful for the hard work being done by the special team assembled at the FCC, headed by John Flynn, to sort through the numerous details and the mountains of paperwork filed and to give us a level of professional analysis that will encourage enlightened decision-making. I am pleased as well with the hearings and attention that Members of Congress have afforded this far-reaching media transaction, including an official hearing held here in Chicago just last week by Congressman Bobby Rush. His hearing, and the other forums that have already been held, have asked significant questions and pointed to areas needing the spotlight of public attention. I also want to thank Bill Lake, who heads our FCC Media Bureau and who is here with us, Jennifer Tatel, Jessica Almond and Bill Freedman for organizing this forum. And for inviting me to attend. Thanks also to Lyle Ishida and team for handling the logistics for this. It’s not an easy job, but it is a necessary one.

As for me, I have said before that approval of this proposed transaction would be a very steep climb. No one who knows where I have been on these issues will be surprised at that. Now I plan to spend the rest of the afternoon and evening listening. I do have one request of you, however. It’s my only “ask.” I ask that you stay involved in these kinds of debates because they are so central to the future of our country. Not just this one proposed agreement—but all the many questions regarding the future of media both traditional and new, the future of journalism, the nourishing of our democratic dialogue. So much of what our country will be—so much of what it *can* be—rides on the kind of media we have. And that’s up to all of us. It’s partly up to those who operate the

media every day, of course. It's partly up to legislators who write the laws. And it's partly up to those of us in the FCC who implement rules of the road. But in the end, it's up to what the people want and expect and demand. That's the blessing of democracy. And that's why I'm so pleased to be here today.

Thank you again for coming.