

COMMITTEE ON APPROPRIATIONS
Subcommittee on Defense
Subcommittee on Transportation, HUD,
and Related Agencies
Subcommittee on Agriculture,
Rural Development,
FDA and Related Agencies
COMMITTEE ON THE BUDGET
DEMOCRATIC STEERING AND POLICY



MARCY KAPTUR
9TH DISTRICT, OHIO

July 16, 2010

Chairman Julius Genachowski
Federal Communications Commission
445 12th St SW
Washington, DC 20554

Dear Chairman Genachowski:

A cable television company in my Congressional district has made me aware of two recent Media Bureau decisions that will negatively affect constituents who are customers of Buckeye Cablevision, Inc. Buckeye has been ordered to discontinue carriage of two Detroit, Michigan, television stations it has carried on its cable system since it began operating in the mid-1960's. Both of these stations, WXYZ and WJBK, have been available to Toledo residents on cable and over-the-air reception. In fact, the residents of Toledo first began receiving broadcast television from Detroit during the 1940's as Toledo did not then have any television stations of its own.

Two Toledo television stations (WTVG, owned by ABC-Disney, and WUPW, the Fox affiliate owned by LIN TV Corp.) separately petitioned the FCC to require that Buckeye remove the Detroit stations' network programming. The Media Bureau approved the petitions over the objections of Buckeye and WXYZ in the ABC case. Buckeye submitted requests to stay those orders and has submitted applications for review of the orders by the full Commission.

It would appear that the ultimate purpose of the ABC-Disney and LIN actions was to obtain leverage in demanding sharply increased retransmission consent fees by removing broadcast competition from the cable television system. Those increased fees ultimately will be borne by my constituents. In this case, I am told that modifying the Buckeye system to comply with the orders will cost approximately \$4 million that will be passed along to customers either in higher bills or delayed infrastructure upgrades planned to increase broadband speeds.

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<http://kaptur.house.gov>

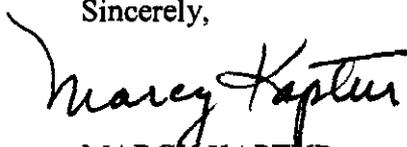
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I would appreciate your review of the two Media Bureau decisions noted above in accordance with Commission policies and procedures. Inasmuch as those decisions involve an application of the Commission's rules that is undermining the Commission's policies and harming consumers, I am hopeful the Commission will act to protect consumers, stay those decisions, and also review them in the context of your Retransmission Consent proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Marc V. Kaptur". The signature is written in black ink and is positioned above the printed name.

MARC V. KAPTUR
U.S. Representative