

United States Senate

WASHINGTON, DC 20510-2102

December 16, 2010

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The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Room 8B201
Washington, DC 20554

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Dear Chairman Genachowski:

I understand that you are in the final steps of completing your review of the Comcast-NBC Universal merger. I understand that review will reach resolution soon. I know that you have diligently examined and are addressing the concerns about the merger which I raised at the hearing we held earlier this year.

In the time since that hearing, I have reviewed the concerns other legislators, consumer advocates, and competing firms have expressed. I know you have as well and are giving them serious consideration. I am writing now to just reinforce the need for this merger to work for consumers, and enhance innovation and competition. I believe it can, but we count on you to ensure that it does.

As you know, Comcast is widely respected as an employer in my state, an innovator in the market, and an active corporate citizen. And it has made meaningful commitments to support the production of local news, public affairs and other public interest content going forward. But the proposed merger will create a unique company, with unique power in the market.

It is important that consumer access to video content on the Internet continue to grow and flourish, including content that the new merged firm will control. I want to make sure competition between video distributors will drive down prices for consumers and that the market will welcome and encourage the development of independent voices. I do not think anyone wants this new entity to act unfairly as a bottleneck or gatekeeper for critical programming for competing distributors or leverage its distribution network against content that competes with its new property. If you approve this merger, these are benchmarks against which it will be judged in the years to come.

I have great confidence in your capacity as regulators and in the expertise of your agency staff. Where you determine these risks pose a threat to the goals I have listed, we believe you have the authority to propose remedies. I also trust that Comcast is open to ensuring that the public can trust an approved merger is in their interest and will accept and accommodate such remedies.

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I appreciate your time and consideration and look forward to working with you on this and other matters in the year to come.

Sincerely,



John F. Kerry

cc: The Honorable Christine Varney, Assistant Attorney General, Department of Justice