

BOB FILNER
51ST DISTRICT, CALIFORNIA

VETERANS' AFFAIRS COMMITTEE
RANKING MEMBER

TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE

AVIATION

HIGHWAY AND TRANSIT

WATER RESOURCES AND ENVIRONMENT

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

March 31, 2011

2428 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TEL: (202) 225-8045
FAX: (202) 225-9073

333 F STREET, SUITE A
CHULA VISTA, CALIFORNIA 91910
TEL: (619) 422-5963
FAX: (619) 422-7290

1101 AIRPORT ROAD, SUITE D
IMPERIAL, CALIFORNIA 92251
TEL: (760) 355-8800
FAX: (760) 355-8802

website: www.house.gov/filner

Julius Genachowski
Chairman
Federal Communications Commission
Room 8-C453
445 12th St, SW
Washington, DC 20554

*MB
Must Carry
PVT
443*

Dear Mr. Chairman:

I am writing you regarding an issue of longstanding concern — namely the timely response by the FCC to address carriage access discrimination complaints brought by independent programmers against cable companies and other multi-channel video programming distributors, or MVPDs.

Currently, there are outstanding complaints brought by an independent programmer, with the oldest complaint dating back to 2007. The complaints, brought by independent programmer WealthTV, were filed against the owners of iN DEMAND: Time Warner, Comcast, Cox, and Bright House. WealthTV is currently awaiting a decision from the full commission regarding a request to reopen the record; or acceptance, rejection, or modification of a recommended decision from an Administrative Law Judge issued in October, 2009.

Back in June of 2010 I contacted you expressing my concerns in this matter. Your response indicated that the "...Commission staff is working actively to resolve this proceeding as quickly as possible." I am aware that WealthTV recently received a similar status response, namely that the complaints are being "actively worked."

Specifically, I would like to inquire into the status only of these outstanding complaints. Due to the length of time that these complaints have been pending before the FCC, it appears that a more definitive status response other than the complaints are being actively worked is warranted.

Sincerely,

BOB FILNER
Member of Congress

BF/te
2572703

Cc: Commissioner Meredith Attwell Baker
Commissioner Mignon Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell