



# NEWS

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D. C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

---

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See *MCI v. FCC*, 515 F.2d 385 (D.C. Circ 1974).

---

## STATEMENT OF COMMISSIONER AJIT PAI ON THE D.C. CIRCUIT'S DECISION IN *COMCAST v. FCC* *May 28, 2013*

I am pleased that the U.S. Court of Appeals for the D.C. Circuit has overturned the Commission's 2012 decision that Comcast had unlawfully discriminated against Tennis Channel. This ruling is a big win for consumers. As former Commissioner McDowell and I explained in our joint dissent, the Commission's ruling would have resulted in cable operators paying to carry channels that they didn't want, and these higher programming costs would have come out of the pockets of American consumers.

With this case concluded, I hope that the Commission will heed the lesson of today's D.C. Circuit decision and refrain from attempting to micromanage cable operators' programming decisions. Given the current state of the video marketplace, I agree with Judge Kavanaugh that "the FCC cannot tell Comcast how to exercise its editorial discretion about what networks to carry any more than the Government can tell Amazon or Politics and Prose or Barnes & Noble what books to sell; or tell the *Wall Street Journal* or *Politico* or the *Drudge Report* what columns to carry; or tell the MLB Network or ESPN or CBS what games to show; or tell *SCOTUSblog* or *How Appealing* or *The Volokh Conspiracy* what legal briefs to feature."