



# 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).

---

**FOR IMMEDIATE RELEASE:**  
September 4, 2013

**NEWS MEDIA CONTACT:**  
Neil Grace, 202-418-0506  
Email: [neil.grace@fcc.gov](mailto:neil.grace@fcc.gov)

## **STATEMENT FROM FCC ACTING CHAIRWOMAN MIGNON CLYBURN ON THE SECOND CIRCUIT DECISION - TIME WARNER CABLE V. FCC AND NCTA V. FCC**

“I am pleased that the court of appeals upheld the Commission’s program carriage rules against constitutional challenge. As the Commission pointed out – and the court agreed in rejecting the cable industry’s arguments – these rules remain necessary to prevent anticompetitive conduct by video programming distributors, and they empower consumers to access a rich and diverse mix of programming. Although the court overturned the standstill rule on procedural grounds, it recognized that the Commission remains free to adopt the same rule in accordance with the requirements of the Administrative Procedure Act.”

**-FCC-**