

# United States Senate

WASHINGTON, D.C. 20510

August 6, 2013

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The Honorable Mignon Clyburn  
Acting Chairwoman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Dear Acting Chairwoman Clyburn:

As the primary author in the House of Representatives of the 1992 Cable Act that created the retransmission consent regime and the author of the first net neutrality bill introduced in the House, I am writing to express my concern about the ongoing retransmission consent dispute between Time Warner Cable and CBS.

I make no representations as to the merits of either side's position, as they are contractual discussions between private parties. Nevertheless, I encourage both parties to remain engaged in good faith negotiations, and I also request that the Commission take action to bring the parties together so these negotiations can be concluded in an equitable and expeditious manner. I believe the public interest would be best served if carriage is restored by the parties at the earliest possible time so that consumers are not long caught in the middle.

I am also particularly concerned by reports that CBS is blocking access to its Internet-based video for Time Warner Cable broadband customers. A consumer's choice of cable television provider should not be tied to her ability to access Internet content that is freely available to other consumers. In such instances, consumers lose their freedom to access the Internet content of their choice. This is an anti-consumer result that I urge the Commission to investigate, and I encourage the Commission to actively defend Internet freedom and consumer rights.

Thank you for your attention to this important issue.

Sincerely,



Edward J. Markey