

Congress of the United States
Washington, DC 20515

August 18, 2014

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Received & Inspected

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FCC Mail Room

Dear Chairman Wheeler:

We are writing to you regarding the availability of in-state broadcast television stations to satellite subscribers in "orphan" counties. Subscribers in these "orphan" counties are unable to receive local programming from in-state DMA stations. Instead, they are serviced by out-of-state DMA stations and thus cannot receive in-state local news, weather, sports, and educational programming. As a result, many of the residents of these counties who are not serviced by cable companies have expressed concerns over being disconnected from their state and at risk of missing safety and emergency preparedness warnings.

From our understanding, Nielsen typically reviews its television market designations on an annual basis and, based on this review, it may assign one or more counties to a different DMA if its criteria indicate such a change is warranted. Additionally, it is our understanding that with respect to "orphan" counties, FCC regulations prevent a satellite company from providing a network affiliate outside a subscriber's DMA unless the network affiliate in the DMA grants a waiver to that subscriber or the stations in the in-state, but out-of-market DMA, are considered to be "significantly viewed" in those counties. Given the rural and sparsely populated nature of many of the "orphan" counties, we are concerned by the potential for such counties to be unable to ever meet the current "significantly viewed" standard.

We were interested to learn that the Commission's Media Bureau previously considered a proposal submitted by the satellite television industry to establish a presumption that in-state broadcast stations should be treated as "significantly viewed" stations in orphan counties. What is your view of this proposal and has the Media Bureau considered other proposals that would provide more of our constituents with in-state broadcast programming? If so, what are such alternatives and what is their likely viability?

We appreciate your assistance as we seek to resolve the predicament facing residents of our "orphan" counties. Thank you for your prompt response to address our concerns.

Sincerely,



Doug Collins (GA-09)
Member
House Judiciary Committee



Bob Goodlatte (VA-06)
Chairman
House Judiciary Committee