



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 11, 2015

The Honorable Kevin Cramer
U.S. House of Representatives
1032 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Cramer:

Thank you for your letter urging the Commission to take action by the end of the summer on its pending Further Notice of Proposed Rulemaking regarding our program access rules. I appreciate hearing your views.

As you note, the Commission sought comment in 2012 on a variety of issues related to our program access rules, including whether to modify the current definition of "buying group." The National Cable Television Cooperative (NCTC) sought the change because its existing practice excludes it from the definition, and thus, NCTC claims it is unable to avail itself of the complaint process under our rules.

Although the Commission made a tentative conclusion to potentially modify the "buying group" definition in the Further Notice, the record in the proceeding indicates that a rule change is not necessary for NCTC to qualify as a buying group, suggesting that this is more of a dispute over ultimate liability than a regulatory issue. NCTC previously complied with the requirements of the existing definition; past and recent filings have not demonstrated that it is burdensome to satisfy these requirements, should NCTC chose to do so.

If NCTC has information that might shed new light on this conclusion, I invite them to add that analysis to the record and to share their findings with Bureau staff.

I hope this information is helpful. Your letter will be made part of the record of the proceeding.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a long horizontal stroke extending to the right.

Tom Wheeler