

**Media Contact:**

Janice Wise, (202) 418-8165  
janice.wise@fcc.gov

**For Immediate Release****FCC ADOPTS NEW MARKET MODIFICATION RULES TO ADDRESS 'ORPHAN COUNTIES,' INITIATES REVIEW OF 'TOTALITY OF CIRCUMSTANCES TEST' FOR RETRANSMISSION CONSENT NEGOTIATIONS*****Commission Actions Meet STELAR Act Statutory Deadline***

WASHINGTON, September 2, 2015 – Today, the Federal Communications Commission moved forward on two actions that modernize the Commission’s rules to reflect the current media landscape and better serve consumers. First, the Commission adopted new rules that allow modification of satellite television markets to help ensure that satellite operators carry the broadcast stations of most interest to the community. The Commission also adopted today a proposal that initiates the review of the so-called “totality of the circumstances test” for evaluating whether broadcasters, cable television operators and satellite television carriers are negotiating for retransmission consent in good faith.

Today’s actions implement two statutory requirements in the bipartisan Satellite Television Extension and Localism Act Reauthorization (STELAR) Act of 2014 passed by Congress last year to modernize rules regarding the satellite, cable, and broadcast television markets.

Last week, the Downloadable Security Technology Advisory Committee (DSTAC) submitted to the Commission a [report](#) that recommends technical standards for a downloadable security system designed to promote the competitive availability of navigation devices. STELAR required that these three actions be completed by September 4, 2015.

***Television Market Modification Order***

The new satellite market modification rules are largely modeled on the existing process for cable operators, which have been in place since 1992, while also addressing the unique nature of satellite television service, such as allowing for exceptions if the resulting carriage is “not technically and economically feasible” by means of existing satellites. In certain multistate Designated Market Areas (“DMAs”), satellite subscribers located in out-of-state counties within a DMA are sometimes unable to receive in-state broadcast television stations and therefore may lack access to in-state news, sports, public affairs, political information, and emergency information.

The STELAR Act addresses this so-called “orphan county” problem by allowing the Commission to modify, upon the request of a television station, satellite operator, or county government, a particular commercial television broadcast station’s local television market to add or delete communities to better reflect market realities. As required by the STELAR Act, the Commission determines whether to grant a market modification based on consideration of five statutory factors that allow petitioners to demonstrate that they provide local service to the community. Significantly, Congress included a factor requiring

consideration of access to television stations that are located in the same state as the community considered for modification.

Action by the Commission: Commissioner O’Rielly approving in part, dissenting in part, and issuing a statement. September 2, 2015, by Report and Order (FCC 15-111). This item has not yet been released.

***Retransmission Consent NPRM***

The Retransmission Consent NPRM initiates a review of the so-called “totality of the circumstances test” for evaluating whether broadcast television stations and MVPDs, such as cable television operators and satellite television carriers, are negotiating for retransmission consent in good faith. The NPRM undertakes a robust examination of practices used by parties in retransmission consent negotiations, as directed by Congress. The goal of the proposed rulemaking is to ensure that these negotiations are conducted fairly and in a way that benefits consumers of video programming service.

Action by the Commission September 2, 2015, by NPRM (FCC 15-109).

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**Office of Media Relations: (202) 418-0500**

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*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).*