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For Immediate Release

FCC PROPOSES TO MODERNIZE LEASED ACCESS RULES

Seeks Comment on Ways to Update Regulations for Today's Media Marketplace

WASHINGTON, June 7, 2018—The Federal Communications Commission today voted to approve a Further Notice of Proposed Rulemaking seeking to update its leased access rules, which require cable operators to set aside channel capacity for commercial use by unaffiliated video programmers.

In the item, the Commission tentatively concludes that it should vacate its *2008 Leased Access Order*, which the U.S. Court of Appeals for the Sixth Circuit has stayed for a decade in conjunction with several judicial appeals, and which the Office of Management and Budget had separately rejected under the Paperwork Reduction Act. Due to these roadblocks, the 2008 order never went into effect, and the pre-2008 order rules adopted nearly a quarter-century ago remain in effect. Vacating the 2008 order as proposed would provide the Commission with a fresh starting point from which to consider specific proposals to modernize the leased access rules to fit the modern marketplace.

The Commission also seeks input on the state of the leased access marketplace generally and invites comment on ways to modernize its existing leased access rules. It proposes to require cable operators to respond only to bona fide requests from prospective leased access programmers. The Commission seeks comment on whether it should extend the timeframe for providing responses to leased access requests, and permit cable operators to require leased access programmers to pay a nominal application fee and/or a deposit. The Further Notice also proposes to modify the Commission's procedures for addressing leased access disputes.

This marks the eleventh proceeding that has been launched as part of the Commission's ongoing effort to modernize its media rules by eliminating or modifying regulations that are outdated, unnecessary, or unduly burdensome.

Action by the Commission June 7, 2018 by a Further Notice of Proposed Rulemaking (FCC 18-80). Chairman Pai, Commissioners O'Rielly, Carr, and Rosenworcel approving and issuing separate statements.

MB Docket Nos. 07-42; 17-105

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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. Cir. 1974).