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July 31, 2019

The Honorable Ajit Pai
Chairman
Federal Communications Commission
455 12th Street SW
Washington, DC 20544

Dear Chairman Pai:

I am concerned that the Federal Communications Commission's proposed rules in the matter of "Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992" (MB Docket No. 05-311), in particular its proposal to count "cable-related, in-kind contributions" from cable operators against the franchise fees they pay to local communities, will reduce access to public, educational, and governmental (PEG) channels. I understand that the FCC will be voting on this matter as soon as this week.

Congress intended the Cable Act's franchise procedures and standards to "assure that cable systems are responsive to the needs and interests of the local community" and that they "are encouraged to provide the widest possible diversity of information sources and services to the public" (47 U.S.C § 521, 1984). To that end, the Cable Act permits local franchise authorities to require that cable companies provide access to PEG channels in addition to paying limited franchise fees.

PEG channels provide a critical local service in my district and in communities across the country. Under the proposed rules, however, the FCC would reclassify access to these channels, as well as other important community benefits, as in-kind contributions that would count against the statutory limit on the fees local governments can charge cable operators. This change, if finalized, could force communities to choose between collecting revenue from fees or providing access to PEG channels, thereby undercutting access to this essential local programming. At a time when local media is under financial pressure and in decline in many markets, preserving programming that focuses on local concerns should be a top priority.

As the FCC prepares to vote on this matter, I urge you to ensure that any final rule adequately protects access local programming. Thank you for your attention to my concerns.

Sincerely,

A handwritten signature in blue ink that reads "Adam B. Schiff".

Adam B. Schiff

MEMBER OF CONGRESS