

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Amendment of Commission Rule Requiring Records of Cable Operator Interests in Video Programming, Modernization of Media Regulation Initiative*, MB Docket Nos. 20-35 and 17-105, Notice of Proposed Rulemaking.

Fans of HGTV are familiar with the likely fate of ugly wallpaper, left behind when the original owners vacate an outdated home. Similarly, today we take the first step of ripping out a reporting requirement that has faded from relevance in the two decades since the Commission's cable occupancy limits were reversed and remanded by the D.C. Circuit. As noted in the item, this reporting requirement was moved to a different subsection within our Part 76 rules for administrative efficiency before the turn of the century. While generally overlooked during subsequent regulatory cleanup efforts as a result, it has remained an unsightly fixture for cable operators ever since.

It is telling that no one thus far has argued in favor of keeping this reporting requirement, nor justified any apparent use for the collected information. Let that sink in for any critics: not a single soul has advocated so far that we maintain this rule. Nonetheless, the item explores potential reasonable arguments to be made in its favor should the information still have utility in a different context. At the same time, we make clear that even if the information is determined to be useful, we must consider more efficient ways to obtain it, rather than simply requiring cable operators to stockpile it by default. Personally, I seriously doubt the information is useful or that it could not be more easily obtained another way. As I have noted in the past, continuing to collect this information when the original purpose for doing so has been struck down by the courts is a serious waste of time and resources for everyone. It is time to move on.

I thank the Chairman and staff for carrying out my idea to jettison the rule, considering my input when crafting the proposal, and bringing this item to a vote. I look forward to a speedy resolution culminating in a final Order. While plenty of work remains on the media modernization DIY project, we're making progress each month and need to keep up the momentum.

I approve.