

March 8, 2022

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

Dear Chairwoman Rosenworcel,

Thank you for your work to promote greater opportunity, accessibility, and affordability in America's communications services. We write to you today regarding reports of the prevalence of pay television operators dropping programs from their platform while providing their consumers with little or no reimbursement. Due to the lost television content reported by our constituents, we believe this is a concerning practice and merits the attention of all stakeholders, including the Federal Communications Commission.

As you know, customers have varied interests in programming, and under the 1992 Cable Act, Congress intended for operators to maintain a diverse channel line-up. Furthermore, customers make prudent decisions based on these interests and needs with the expectation that their provider will continue to carry the channels advertised.

However, reports to our offices show that consumers are suddenly unable to watch shows initially included in their subscription bundle<sup>1</sup>. Many aren't even aware losing channels is a possibility because of the legally intricate disclaimers in lengthy terms and conditions stating that they can change their channel line-up at any time without informing their customers. Some companies choose<sup>2</sup> or are court-mandated to payback customers for the lost services. Yet often, consumers are stuck paying the same monthly rate.

Moreover, these blackouts are often a result of contractual disputes between TV providers and networks and have the potential to result in the loss of hundreds of channels at a time<sup>3</sup>. In some instances, small local channels get caught in the crosshairs and are no longer accessible to patrons. In addition, media channels catered to Black and Latinx viewers, such as Fuse and Starz, have also disputed with major TV providers. We appreciate you highlighting this matter during your November 17th confirmation hearing, where you expressed concern regarding the impact of carriage disputes on consumers. We share these concerns and support stronger consumer protects in these matters.

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<sup>1</sup> Barnes, J. (2019, October 31). *Comcast Has Been Removing TV Channels But Not Lowering Its Price*. Cord Cutters News. <https://www.cordcuttersnews.com/comcast-has-been-removing-tv-channels-but-lowering-its-price/>

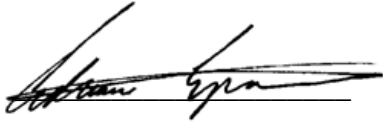
<sup>2</sup> Bouma, L. (2018, July 2). *Sling TV Is Giving Full Refunds to Broadcast Extra Subscribers During the Univision Blackout*. Cord Cutters News. Retrieved February 14, 2022, from <https://www.cordcuttersnews.com/sling-tv-is-giving-full-refunds-to-broadcast-extra-subscribers-during-the-univision-blackout/>

<sup>3</sup> Snider, M. U. T. (2021, August 10). *Dish-Sinclair carriage dispute could remove 100+ channels from satellite TV provider*. USA TODAY. <https://eu.usatoday.com/story/tech/2021/08/09/dish-network-sinclair-broadcast-dispute-drop-channels/5543547001/>

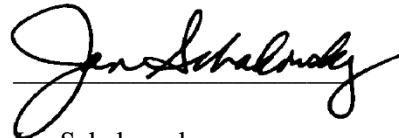
For these reasons, we urge you to take measures to strengthen protections for consumers, including undertaking a review of the Commission's program carriage rules. We welcome the opportunity to work with you on this issue.

Thank you for your consideration.

Sincerely,

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Adriano Espaillat  
Member of Congress

A handwritten signature in black ink, appearing to read "Jan Schakowsky", written over a horizontal line.

Jan Schakowsky  
Member of Congress