

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *Leased Commercial Access; Development of Competition and Diversity in Video Programming Distribution and Carriage; Revision of the Commission's Program Carriage Rules, Second Report and Order in MB Docket No. 07-42 and Notice of Proposed Rulemaking in MB Docket No. 11-131*

The objective of our program carriage rules remains the same as it was in 1993 when the Commission enacted the initial rules. While the telecommunications landscape has dramatically changed in that time, the ongoing need is to provide a venue for the airing of grievances concerning discrimination and to expect fair and equitable outcomes to disputes.

Video distributors are now more likely to be producers themselves, often with far greater leverage and new incentives to favor their own content over that of independent producers. Modernizing these rules is essential to ensure that consumers have the ability to view a variety of diverse programming at the lowest possible cost and hopefully to foster more independent production.

I am pleased that we are taking steps helpful to the accomplishment of the statutory goals of competition and consumer protection. These revised rules will improve and clarify the program carriage complaint procedure by setting deadlines for FCC action while still allowing the parties adequate time to respond fully. These deadlines are important to ensure we continue to meet Congress' mandate of "expedited review" and to reduce unpredictable delays in resolving these complaints. Furthermore, in response to programming vendors' concerns of retaliatory action by an MVPD against a complainant, we have clarified our standstill procedure.

As we prepare for implementation of these new rules—and quite possibly an increased caseload at the FCC—we must also address a possible shortfall in the number of ALJs to hear and resolve these disputes. I believe this order provides the first step toward a resolution of that issue.

I look forward to hearing meaningful public discourse from all the interested stakeholders as we clarify and expedite Commission procedure to enhance the effectiveness of our program carriage rules.