

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*; MB Docket No. 11-93

This is an important day for consumer protection. I cannot tell you how many hundreds of citizens have told me—personally, through e-mails and letters, at public hearings, even across the family dinner table—how obnoxiously intrusive they find loud commercials. So do I. I am therefore delighted that this proceeding made it onto our agenda before I depart the Commission.

Of course, we would not be here today without the leadership of Congresswoman Anna Eshoo who spearheaded this effort in Congress. Always an inspiration, Representative Eshoo introduced the legislation that made today possible and then shepherded it through to enactment. Once again, she delivers for American consumers. And her colleague on the other side of the Capitol, Senator Sheldon Whitehouse also did an excellent job of navigating this measure through the Senate.

I'm proud this agency has tackled so many consumer protection issues under Chairman Genachowski's leadership, and I am confident more are on the way. There is a definitive nexus between the actions taken in this room and in the bureaus with the everyday lives of Americans. This is at the heart of what the public interest is all about. And, one more time, I want us to remember that the term "public interest" appears by my count 112 times in our governing statute, the Communications Act.

I want to be sure the spirit and letter of the new law are fully implemented by this Commission. The purpose of the Act was to get rid of loud commercials, period. I realize that the program production chain is a long one and not every link in that chain is under FCC purview, but that just means we have to work all the harder to make sure consumers receive the protections envisioned in this law. I also realize that sometimes what people think is an easy fix doesn't turn out that way. For example, technical questions regarding locally-inserted commercials versus passing through commercials inserted upstream made for some very complicated discussions. But the Bureau worked assiduously, and in the spirit of the act, throughout the process. While I might not have made every single call the identical way, I do believe the item before us provides an appropriate balance—as required by statute—of giving some measure of flexibility to the smallest providers even while providing the necessary heft to drive all parties to workable and implementable solutions. And I am confident the Commission will be closely monitoring implementation each and every step of the way and will make any adjustments that are called for to ensure that consumers get what the legislation intended them to get.

I want to recognize and thank the numerous industry interests, such as NCTA, for stepping up to the plate and working with us to find workable solutions. And I thank everyone who lent a hand, contributed to the record, and put shoulder to the wheel to help

fashion the item before us. As part of the implementation going forward, we are going to need consumers to provide the FCC with feedback and to inform us if they hear—and I literally mean “hear”—any problem. The complaint process puts heavy emphasis on consumer complaints to monitor where instances of overly-loud commercials still exist.

Above all, thanks to the Bureau for working through this very important, but also very demanding, proceeding. I appreciate the hard work of all, and I want especially to recognize the contribution of the ever-indefatigable Eloise Gore and her partner in this work, Lyle Elder. Thanks to my colleagues for their input and to the Chairman for making sure we got this done both in time and creditably. I am pleased to support it.