

**STATEMENT OF  
COMMISSIONER MICHAEL O’RIELLY  
APPROVING IN PART AND DISSENTING IN PART**

Re: *Amendment of the Commission’s Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act of 2014*, MB Docket No. 15-71.

I generally support this Order implementing procedures to modify a commercial television broadcast station’s local television market for the purposes of satellite carriage, as required by the STELA Reauthorization Act of 2014. It will bring welcome and long-awaited relief to American consumers in so-called “orphan counties” where satellite television subscribers do not receive in-state programming, including important state-specific political and public affairs coverage, weather information, and emergency alerts.

However, as the NPRM noted, unlike in the cable context, local governments and franchising authorities “currently have no role in satellite regulation,”<sup>1</sup> and as I have previously indicated, I see no reason for the Commission to involve them now. Therefore, I must dissent from the decisions to allow local governments to petition for satellite market modifications, and to define them as “interested parties” that must be served with market modification petitions filed by others.<sup>2</sup> These rules will serve only to increase obligations and expenses for broadcasters and satellite carriers with no upside for consumers, since, as the Order acknowledges, “without the willing participation of the affected broadcaster, modifying the market of a particular television station, in itself, would not result in consumer access to that station.”<sup>3</sup>

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<sup>1</sup> *Amendment to the Commission’s Rules Concerning Market Modification; Implementation of Section 102 of the STELA Reauthorization Act of 2014*; MB Docket No. 15-71, Notice of Proposed Rulemaking, 30 FCC Rcd 3039, 3047, ¶ 10 (2015).

<sup>2</sup> *See Order* at ¶¶ 14, 16.

<sup>3</sup> *Supra* at ¶ 14.