

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN
APPROVING IN PART, DISSENTING IN PART**

Re: *Amendment to the Commission's Rules Concerning Effective Competition; Implementation of Section 111 of the STELA Reauthorization Act*, MB Docket No. 15-53.

In the STELA Reauthorization Act of 2014, Congress issued a clear mandate to provide administrative relief for small cable operators. Today, while I approve steps to reduce burdens on smaller providers, I cannot support the broader relief proposed because it is not in line with Congress's intent, it may harm consumers with increased prices and it unnecessarily burdens local franchising authorities.

Currently, cable providers must overcome a presumption that local franchise areas lack effective competition. However, rather than tailoring the relief to reduce the burden on smaller providers as Congress directed us to do, the Report and Order completely flips the presumption for all cable providers and the justification for this shift is STELA. Based on the plain reading of the statute, however, such broad relief goes beyond what is necessary to effectuate Congress' intent. Moreover, the record raises significant questions as to the possibility of unintended consequences based on the solution proposed here (i.e. that a universal presumption of effective competition could lead to an increase in cable rates). I cannot support relief to larger providers particularly when doing so could harm consumers and unnecessarily increases the burdens on our local franchising authorities.

As a result, I vote to approve the Report and Order insofar as it provides relief to small cable operators, but dissent as to its proposal to go beyond that group of providers.