

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

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

I am pleased to approve this Report and Order streamlining the effective competition process to reflect current realities in the video marketplace. With a track record of 99.5% of the communities the Commission has evaluated having been found to have effective competition since the start of 2013, adopting a rebuttable presumption of Competing Provider Effective Competition is an idea whose time has come.

The simple reality in the marketplace is that cable providers meet the standard for relief outlined in the statute, which the Commission is obligated to follow. In fact, subscriber rates for direct broadcast satellite providers, Dish and DirecTV, far exceed the threshold in the law for multichannel video competitive providers under the definition of effective competition. Accordingly, shifting the Commission's presumption, which is not contained in the law and remains within our purview to alter, is both appropriate and needed. Today's item prevents unnecessary staff efforts under the previous presumption standard on applications that would have been approved in any event.

The fact that the scope of this item is broader than just the smaller cable system relief identified in the STELA Reauthorization Act of 2014 does not preclude the Commission from moving forward at this time to address the presumption standard for all cable systems at once. Just the opposite: we have an affirmative obligation to streamline our procedures when appropriate, and certainly when it meets the statutory requirement. In fact, we should have done this long ago.

At the same time, I do not believe that this item and the reasoning articulated within will impact the continued existence of the basic service tier. It is certainly not my intent to do so in this item and those reading the statute in such an extended way seem misguided. That is not to say it is not a logical consideration for Congress to explore and assess given the changing video marketplace.

I commend the Chairman for working with me to provide this relief to cable operators and hope to identify even more areas where we can reduce or eliminate legacy regulatory burdens in response to the rapid evolution of the communications landscape.