

**STATEMENT OF  
COMMISSIONER MICHAEL O'RIELLY**

Re: *Revision of the Commission's Part 76 Review Procedures*, MB Docket No. 20-70; *Modernization of Media Regulation Initiative*, MB Docket No. 17-105; *Revision of the Commission's Program Carriage Rules*, MB Docket No. 11-131.

As I have noted previously, it is completely ridiculous and downright nonsensical that the program carriage statute of limitations would begin to run at the moment potential complainants notify multichannel video programming distributors (MVPD) of their intent to file a complaint, instead of from the point at which the alleged discriminatory conduct occurred. And yet, such a process is dictated by our regulations. I thank the Chairman for providing me the opportunity to work on bringing this matter before the Commission in today's item, and I am hopeful we can go to order expeditiously.

While I have long argued for process reforms to improve the functioning of the Commission for the benefit of stakeholders, I would emphasize that my primary objective in this specific instance is to improve our administrative process, and not to undermine the program carriage rules, whether justified or not, or unfairly limit the right to file a complaint. The item contains a plethora of detailed questions to enable the statute of limitations problem to be appropriately considered and fixed, without undermining our current program carriage rules.

Along these same lines, we also seek common sense reforms to alleviate confusion regarding whether Part 1 or Part 76 rules apply in determining whether an Administrative Law Judge (ALJ) decision goes into immediate effect in the context of program access, program carriage, and open video system (OVS) cases. By considering an automatic stay while all potential appeals work their way through the system, we offer a common sense approach that will allow MVPDs to avoid implementing very disruptive programming changes that may, in some cases, harm consumers, especially if an initial decision is reversed on appeal. Again, the goal in this case is not to limit the rights of any party who may have cause to file a complaint with the Commission. Rather, this is a matter of good governance, whereby we ensure a straightforward and transparent process.

I thank the Commission staff for their continuing hard work to modernize our media regulations, and I am looking forward to even more items in the future. I approve.