

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Update to Publication for Television Broadcast Station DMA Determinations for Cable and Satellite Carriage*, MB Docket No. 22-239, Notice of Proposed Rulemaking (July 14, 2022).

The ways we watch are changing. It used to be that households gathered at night to bask in the glow of a single television screen and watch what was on, when it was on. But the screens in our lives have multiplied and the ways to measure what we view and consume have changed. That's the case in my house and millions and millions of others around the country.

Still, some things stay the same. Broadcast television stations that seek to make it on the channel line-up of traditional cable and satellite systems and want to negotiate for carriage need to do so through the retransmission consent system. This system is set in the law. For more than two decades, television stations, cable operators, and satellite providers have all used the same publication, released annually by Nielsen, to determine each station's local market. It's a reference point in this system that helps ensure consumers get local programming. In fact, the Telecommunications Act of 1996 actually directed the Federal Communications Commission to rely on commercial publications to establish local market viewing patterns. Then, three years later in the Satellite Home Viewer Act, Congress amended copyright law to specifically define local market as determined by a Nielsen publication.

But back to things changing. That's because Nielsen recently chose to discontinue its commercial publication that historically has been used in this process. So onward. We are taking note of the fact that the law provides us with the opportunity to consider a "successor publication" in the event the original Nielsen publication is no longer available. This rulemaking kicks off that effort.

This is complicated. Yet the reality is simple. We are watching more content over more screens than ever before and in a world where viewing opportunities can feel infinite, we want to make sure every household has the opportunity to receive local television stations with news and programming from where they live. This is about updating the data report behind our policies to make sure they do so.

Thank you to the staff working to on this rulemaking, including Kenneth Lewis, Evan Baranoff, Lyle Elder, Maria Mullarkey, and Michelle Carey of the Media Bureau; Susan Aaron, David Konczal, and William Richardson of the Office of General Counsel; Mark Montano, Kim Makuch, and Andrew Wise of the Office of Economics and Analytics; and Belford Lawson of the Office of Communications Business Opportunities.