

United States Senate

WASHINGTON, DC 20510

October 29, 2018

The Honorable Ajit V. Pai
Chairman
455 12th Street, Southwest
Washington, DC, 20544

Dear Chairman Pai:

We write regarding the Federal Communications Commission's (FCC) recent vote to proceed with the item, "Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992" (MB Docket No. 05-311). This proposal would potentially alter, at cable operators' discretion, the terms of the governing agreements between Local Franchising Authorities (LFA) and cable operators. In its current form, the proposal puts at risk critical funding for public, educational, or governmental (PEG) stations as well as broadband connections to schools and other public buildings. Our constituents watch PEG channels to monitor local government proceedings, hear the latest news from nearby college campuses, and consume other locally produced programming including emergency alerts and directives. Your proposal may jeopardize these important functions. We encourage you and your colleagues on the Commission to ensure that any final decision will not threaten the sustainability of PEG stations.

Under the Communications Act, towns and cities across the country are permitted to require as part of cable franchise agreements that cable operators meet demonstrated community needs by setting aside channels for PEG stations. Yet the FCC's current proposal would allow cable operators to assign a value to these channels, and then subtract that amount, and the value the operator places on any other in-kind contributions, such as free service to schools, from the franchise fees the cable operator owes. If this order is eventually adopted in its current form, cities and towns across the country may soon have to decide between supporting local PEG channels and supporting other critical institutions serving the public good. This is a lose-lose choice for LFAs and the residents they serve. We fear this proposal will result in a dire drop in resources for PEG channels throughout the nation.

In an era of media globalization and consolidation, PEG access stations continue to give viewers critical information about their communities and offer an important platform for local voices. They catalyze civic engagement and they provide invaluable educational services. As the Commission proceeds on this issue, we urge you to consider the potential impact on PEG stations.

Thank you for your attention to this issue.

Sincerely,

Edward J. Markey

Edward J. Markey
United States Senator

Tammy Baldwin

Tammy Baldwin
United States Senator

Maggie Hassan

Margaret Wood Hassan
United States Senator

Ben Cardin

Benjamin L. Cardin
United States Senator

Jeffrey A. Merkley

Jeffrey A. Merkley
United States Senator

Bert Sanders

Bernard Sanders
United States Senator

Gary C. Peters

Gary C. Peters
United States Senator

Ron Wyden

Ron Wyden
United States Senator

Patrick Leahy

Patrick Leahy
United States Senator

Richard Blumenthal

Richard Blumenthal
United States Senator

Elizabeth Warren

Elizabeth Warren
United States Senator

CC: The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner