**Re: Comment regarding proceeding 17-214, Media Bureau Seeks Comment on Status of Competition in the Marketplace for Delivery of Video Programming**

To whom it may concern:

I am submitting below my previously published opinion piece for comment in response to proceeding 17-214, the proposed merger between AT&T and Time Warner.

Thank you, in advance, for the chance to comment and add my thoughts for consideration on this important issue.

Jenny Beth Martin

President and co-founder, Tea Party Patriots

For good reason, Americans are distrustful of the consolidation of power - and it matters little whether that concentration of power occurs in government or in the private sector. Corporate monopolies are just as insidious to Americans as all-too-powerful government, and the two each pose a threat to individual liberty.  
  
The potential merger of AT&T and Time Warner is exactly the type of consolidation of corporate power that makes Americans uncomfortable.  
  
AT&T announced last year that it would purchase Time Warner for more than $85 billion, and since then, the response from politicians and everyday Americans has been one of concern about the sheer magnitude of this giant media conglomeration.  
  
Already two of the largest media corporations in the United States, AT&T and Time Warner have immense control over what airs on television and how Americans consume content online. AT&T, which bought satellite giant DirecTV in 2015, is the largest pay-TV provider in the nation. It is also the country’s third-largest wired Internet provider, and the second largest cell phone company. Time Warner, meanwhile, owns HBO, the second-biggest movie studio, and top cable networks such as TBS and TNT.  
  
Politicians across the entire spectrum have voiced a variety of concerns about the proposed merger, and have raised valid questions about the merger’s potential impact on the market, on consumer access, and even on democracy.  
  
Then-candidate Donald Trump announced his opposition to the proposed merger last year “because [the merger puts] too much concentration of power in the hands of too few.” That concentration of power in too few hands is particularly pernicious when it comes to something as foundational to our democracy as access to news.  
  
Politicians have also raised a red flag about limiting competition. Sens. Mike Lee and Amy Klobuchar, who head up the Senate Judiciary Committee’s antitrust subcommittee, have spoken out about the need to review this potential merger. In a joint letter, the two senators pointed out that as a result of the merger, “… AT&T would be both a distributor of and competitor to many content providers (HBO, for example, competes with premium channels such as STARZ and Showtime; CNN competes with MSNBC; and small independent content providers compete with Time Warner’s content).”  
  
In a hearing last December, Sen. Lee also posed the question of whether the merger would lead to diminished quality of offerings to consumers, an often-overlooked side effect of monopolistic conglomerations. As he noted: “The potential anticompetitive favoritism that the combined firm could bestow on its own products is not limited to price or access, but extends to the quality of the offerings as well.”  
  
The Department of Justice is currently reviewing the details of the proposed merger, but one of the more interesting aspects of this merger deal is that the Justice Department is operating without President Trump’s nominee, Makan Delrahim, to serve as Assistant Attorney General for Antitrust. Mr. Delrahim, had he been confirmed this summer on schedule, would have served as overseer of the entire merger review.  
  
The reason Mr. Delrahim has not yet started his work at the Justice Department comes down to one senator’s efforts to block his confirmation. Massachusetts Sen. Elizabeth Warren is holding up Mr. Delrahim’s nomination, in part, because she fears he would favor this potential merger between AT&T and Time Warner.  
  
Americans understandably dislike monopolies, but we also have a profound distaste for dysfunction in government. The Democrats’ playbook of blocking President Trump’s nominees fully eight months into his presidency has devastating consequences for democracy.  
  
Ms. Warren says she is blocking Delrahim’s confirmation to thwart the merger of the two companies, but what she is actually doing is thwarting the will of the American people who elected Trump, and consequently want his nominees in their posts.  
  
The merger between AT&T Time Warner remains unpopular. In fact, in a poll conducted by [Civis Analytics](http://tfreedmanconsulting.com.routing.wpmanagedhost.com/wp-content/uploads/2017/08/Polling_Access-Memo_Final_20170802.pdf) in June, “64 percent of Americans, including 65 percent of Democrats, 64 percent of Republicans, and 63 percent of Independents” oppose the merger.  
  
Mr. Lee has chosen to use his position on the subcommittee on antitrust to raise thoughtful questions about the potential perils and pitfalls of this merger. Ms. Warren, on the other hand, has used this merger to advance the Democrats’ obstructionist agenda, undermining the election results by preventing President Trump from filling vital positions within his administration.  
  
Americans have a dim view of Big Government, preferring, instead, that government retain a limited function. One of the essential roles that government should perform, however, is carefully reviewing giant mergers. Ms. Warren’s blocking of Makan Delrahim serves nobody’s interests, but showcases how dysfunction in our government is another threat to democracy.