

June 22, 2016

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: *In the Matter of Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services*; MB Docket No. 14-261; *In the Matter of Expanding Consumers' Video Navigation Choices Commercial Availability of Navigation Devices*; MB Docket No. 16-42

Dear Ms. Dortch –

On Tuesday, June 21, 2016, members of the *TV Neutrality Alliance* - Gary Koerper and Jennifer McCarthy of Telletopia Foundation, Richard Scott and Elizabeth Jackson of PiOmniTV, and Erik Schwartz of BitTorrent - met with Matthew Berry of Commissioner Pai's office, Jessica Almond and Eric Feigenbaum of Chairman Wheeler's office, William Lake, Brendan Murray, Martha Heller, Steve Broecker, and Kathy Berthot of the Media Bureau, and Robin Colwell of Commissioner O'Rielly's office, regarding the above-referenced proceedings.

The *TV Neutrality Alliance* reiterated points made in its recent letter to the FCC Commissioners, urging the Commission to move forward expeditiously with its proposal to classify online video distributors ("OVDs") of broadcast station signals as Multichannel Video Programming Distributors ("MVPDs") and proposing a new approach that addresses concerns raised by certain OVDs that do not intend to retransmit local broadcast station signals. Only by removing a regulatory barrier to entry, namely MVPD status, will OVDs be able to launch competitive service offerings to cable, satellite, and telco-based subscription video packages that retransmit the full broadcast station signal.

There is currently no way for local broadcast signals, including local news, sports, and advertisements, to be distributed over the Internet. Instead, consumers can pay for Internet-based access to a patchwork of national network programming (minus sports, which are blacked out), some local news (minus most of the ads, which are blacked out), as well as a handful of cable network channels. But, nowhere is it possible for consumers to subscribe to an Internet-based video package that includes all of their local TV stations' programming.

Moreover, there is no way for broadcast stations to be compensated for carriage over the Internet. Their ability to survive in the Internet Age and continue local news production is in jeopardy. However, by creating a level regulatory playing field that gives OVDs the same rights and responsibilities as other MVPDs, consumers, broadcasters, and nascent OVDs alike will benefit immediately from Internet-based distribution of full broadcast station signals.

The *TV Neutrality Alliance* acknowledged the Commission's current efforts toward increasing competition in the provision of pay-TV services in its consideration of several proposals, including "opening the set-top box." While the goal of increasing competition in the provision of navigation devices is a laudable one, the *Alliance* noted that it will be several years before the industry is able to come to an agreement on a standardized approach and it will be even longer before that standard can be implemented on a nationwide basis. Instead, we urge the Commission to focus its efforts on a bigger, more viable prize: creating competition in the provision of MVPD services. OVDs do not require set-top boxes to provide competitive services, nor do they have to trench streets or launch satellites. Simply by leveling the regulatory playing field, the Commission can open the door to a wave of new entrants that are poised to bring innovative services, navigation tools, and "skinny bundles" to consumers today.

The *TV Neutrality Alliance* urges the Commission to move forward as quickly as possible with its proposed reinterpretation of the MVPD definition to enable OVDs to launch Internet-based competitive video programming packages that include full broadcast station signals.

Respectfully submitted,

/S/ Jennifer M. McCarthy
VP, Regulatory and Legal Affairs
Telletopia Foundation

on behalf of

The TV Neutrality Alliance

cc: Jessica Almond
Matthew Berry
Kathy Berthot
Steve Broeckert
Robin Colwell
Eric Feigenbaum
Martha Heller
William Lake
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