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Congress of the United States
House of Representatives
Washington, DC 20515

HOUSE COMMITTEE ON
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CHAIRMAN OF SUBCOMMITTEE ON
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SUBCOMMITTEE ON BIOTECHNOLOGY,
HORTICULTURE AND RESEARCH

June 21, 2019

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The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
455 12th Street, SW
Washington, DC 20544

Dear Chairman Pai:

I write to express concern with the Federal Communications Commission (FCC)'s proposed rule "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 1992*" (MB Docket No. 05-311).

This proposed rule would have a negative impact on local communities by allowing cable operators to consider public, educational, government TV channels (PEG channels) an "in-kind" service that can be commercially valued and then charged against the five percent franchise fee they pay to local communities. Cable operators' franchise fees have long supported the availability for PEG channels in communities throughout the nation.

PEG channels are critical to the fabric of our communities. PEG channels educate the public and promote an engaged citizenry by providing local communities with access to government meetings, local sports, and community events. They are particularly crucial for those who cannot attend town meetings in person due to a physical disability or other reasons beyond their control. Additionally, PEG channels employ hundreds of people within the local community whose jobs would be lost. This proposed rule will force local governments to limit, or worst yet, eliminate access to PEG channels altogether.

The proposed rule will not only negatively impact local communities but also contravenes the *Cable Communications Policy Act of 1984* as passed by Congress. The Act asserts that cable companies must pay rent to use a city's public property—this rent includes the five percent franchise fee and PEG channels. Congress did not intend for local governments to choose between supporting PEG channels and other critical institutions, for fear that the value of PEG channels will be used against their franchise

fees. The intent of the Act was not to put critical funding for PEG channel access stations at risk, thus I strongly encourage the commission to reconsider its proposed rule.

Thank you for your attention to this important matter. If you have any questions, please feel free to reach out to me or my Legislative Aide, Amanda Stayton (Amanda.Stayton@mail.house.gov) in my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'TJ Cox', with a stylized flourish at the end.

TJ Cox
Member of Congress