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*Rm 230*

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

8 FEB 1993

*Mem Docket 92-264*

IN REPLY REFER TO:

8310-MEA  
CN9300224

RECEIVED

FEB 10 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable John McHugh  
House of Representatives  
416 Cannon House Office Building  
Washington, DC 20515

Dear Congressman McHugh:

Thank you for your letter on behalf of Al Szablak of Westmoreland, New York. Your constituent is concerned about the anti-trafficking provisions in the 1992 Cable Act.

I have enclosed for your constituent's information the Notice of Proposed Rule Making and Notice of Inquiry concerning this matter. Your constituent's letter will be placed in the record of this proceeding.

The statute does contemplate the possibility of waivers being granted. I would suggest that your constituent contact Ron Parver, Chief of the Commission's Cable Television Branch at (202) 632-7480 for additional information on the proper procedures to be used in filing such a request.

I trust that the foregoing and the enclosure are informative.

Sincerely,

*Roy J. Stewart*

Roy J. Stewart  
Chief, Mass Media Bureau

Enclosure

No. of Copies rec'd 8  
List A B C D E

# Congressional

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
01/26/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300224	01/26/93	01/15/93	02/08/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	John McHugh	BC

CONSTITUENT'S NAME	SUBJECT
Al Szablak	Cable TV franchising information

26 JAN REG'D

REF TO	REF TO	REF TO	REF TO
MMB	<i>Enf</i>	<i>CI T</i>	
DATE	DATE	DATE	DATE
01/26/93	<i>1-26-93</i>	<i>1-26</i>	

REMARKS:

JOHN M. MCHUGH  
24TH DISTRICT, NEW YORK

Congress of the United States  
House of Representatives  
Washington, DC 20515-3224

MMB  
catv-fran  
224

January 15, 1993

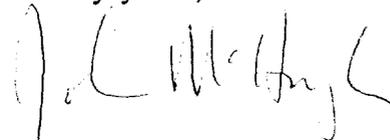
Mr. Alfred Sikes  
Chairman, Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Sikes:

I am enclosing a copy of the correspondence I have received from my constituent, Al Szablak of Westmoreland, New York, concerning the difficulties he is encountering in attempting to sell his small cable TV franchise in Lewis County, New York.

I would appreciate your reviewing this matter and furnishing me with a detailed report upon which I may base a reply to Mr. Szablak.

Sincerely yours,



John M. McHugh  
Member of Congress

JMM/jfk  
Enclosure

COPY

4793 Creaser Road  
Westmoreland, N.Y. 13490  
December 28, 1992

RECEIVED

1993 JAN -8 PM 2: 59

Congressman John McHugh  
and  
Congressman Sherwood Boehlert

Gentlemen,

I reside in Mr. Boehlert's district and own a very small business in Mr. McHugh's district. I have been unemployed for nearly nine months. I am primarily living off my life savings which will last about another six months. If I haven't found work by then, I suspect that I'll have to declare bankruptcy on my home and small business. That can be avoided with your assistance.

The small business I own is Turin Cable TV in Lewis County. It's one of the smallest cable systems in the country with only 129 customers. If I could sell the business, I could pay off my home mortgage along with all other debts. In addition, I could begin getting unemployment which I'm not eligible for now because I own a business (that only nets about \$173 a week before taxes). I would also be able to apply for jobs outside the area.

The owner of the nearby Greig cable system offered to buy my cable system for \$78,000. Everything looked rosy until his lawyers learned that the new cable re-regulation bill would prohibit him from reselling for three years. He has definite plans of calling his cable system within about two years to TCI Cable of Boonville-Lowville. Therefore, the sale of my system is on hold unless I can get a waiver of the three year resale provision.

The Greig system's owner planned on connecting my 129 Turin customers into the Greig system's equipment. Currently my customers only receive 14 channels. They would receive about 25 tv channels and pay EXACTLY the same as Greig customers after the acquisition. When TCI of Boonville-Lowville buys the Greig systems in a few years, all of the Greig (and Turin customers) would receive 36 channels and pay not a penny more than TCI's Boonville-Lowville customers who are physically located about a mile away in Lyons Falls. What is really dumb about this is that if I end up in bankruptcy, EXACTLY the same thing is likely to happen but I will have no say in the matter.

My question is this: Is it possible to receive an exemption from the FCC of the three year holding provision of the re-regulation bill. If not, is it possible to introduce legislation to permit this?

yours truly,

Al Szablak