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FEDERAL COMMUNICATIONS COMMISSION  
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Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

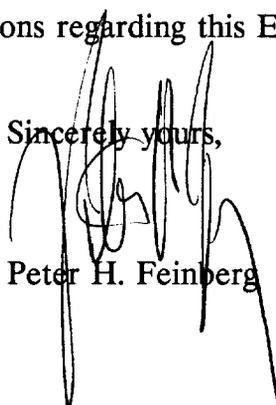
Re: Erratum - MM Docket No. 92-264  
Joint Comments of Cablevision  
Industries Corporation and Comcast Corporation

Dear Ms. Searcy:

Enclosed herewith is an Erratum to the Joint Comments that were filed yesterday by Cablevision Industries Corporation and Comcast Corporation in MM Docket No. 92-264 Implementing Sections 11 and 13 of the Cable Television Consumer Protection and Competition Act of 1992. Please replace pages 3 and 8 in the Comments that were filed.

Should there be any questions regarding this Erratum, please contact the undersigned.

Sincerely yours,

  
Peter H. Feinberg

PHF/rsr  
Enclosure(s)

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trafficking rules also will permit the Commission to serve a critical role as arbiter of the new national standard.

While the broadcast rules provide a workable framework for the Commission's interpretation of Section 617 of the 1992 Cable Act, Congress had narrower policy objectives than those served by the broadcast transfer policy. Thus, Congress sought only to prevent profiteering transactions that could affect cable television rates or service, while the broadcast transfer policies have the additional objectives of ascertaining legal, financial, and other qualifications of licensees. Some changes that would constitute a "long-form" review of the transferee's qualifications under broadcast policies nevertheless are not accompanied by a transfer of equity ownership sufficient to raise any question of "profiteering" transactions that could reasonably be expected to have any impact on cable rates and services. Thus, in adopting the broadcast transfer policies as the basis for its regulations interpreting Section 617, the Commission should remain faithful to Congress's purpose and acknowledge appropriate exceptions for certain transactions.

involuntary transactions, changes that the Commission exempts from full review.<sup>9/</sup>

The distinction between "substantial" and pro forma changes of control is rooted in the Communications Act, which provides that those applications which involve a "substantial change of ownership or control" be subject to a public notice period and to petitions to deny. 47 U.S.C.A. § 309(c)(2)(B).<sup>10/</sup> In addition to its specific rules in

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9/ Section 73.3541 of the Commission's broadcast rules treats as pro forma those changes in ownership and control that result from a voluntary or involuntary bankruptcy, the judicial appointment of a receiver or trustee or the death or incapacity of a controlling principal of a broadcast licensee.

10/ In pertinent part, the Act provides that:

(a) Subject to the provisions of this section, the Commission shall determine, . . . [for each application for a construction permit, station license, or modification or renewal thereof, in non-emergency situations], whether the public interest, convenience, and necessity will be served by the granting of such application . . . .

(b) Except as provided in subsection (c) of this section, no such application --

(1) for an instrument of authorization in the case of a station in the broadcasting or common carrier services . . .

shall be granted by the Commission earlier than thirty days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof.

(c) Subsection (b) of this section shall not apply --  
. . . (2) to any application for --

. . . (B) consent to an involuntary  
assignment or transfer under Section 310(b)  
(continued...)