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MAR 17 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

5 MAR 1993

IN REPLY REFER TO:
8010JRC
CN-9300732
1800D4

Honorable Bob Packwood
United States Senate
259 Russell Senate Office Building
Washington, D.C. 20510-3702

92-265 /

Dear Senator Packwood:

Thank you for your letter on behalf of Mr. James P. Ramseyer, General Manager of Blachley-Lane County Cooperative Electric Association, regarding his recommendations for implementing the programming access regulations in the Cable Television Consumer Protection and Competition Act of 1992 (1992 Cable Act).

The 1992 Cable Act prohibits unfair or discriminatory practices in the sale of programming in order to foster the development of competition to cable systems by increasing access to programming by other multichannel video programming distributors. In the 1992 Cable Act, Congress instructed the Commission to adopt implementing regulations pertaining to program access. In accordance with the statute, the Commission invited comment on provisions that will govern access to multichannel video programming (Notice of Proposed Rulemaking in MM Docket No. 92-265, released December 24, 1992). In particular, we sought comment on proposed regulations to prohibit: (1) undue influence by cable operators upon actions by affiliated program vendors, (2) price discrimination by vertically integrated satellite cable programming vendors and satellite broadcast programming vendors, and (3) certain exclusive contracting practices that the Commission finds not to be in the public interest. We also recognized testimony in the legislative history of the 1992 Cable Act that caused Congress to conclude that vertically integrated program suppliers have the incentive and ability to favor their affiliated cable operators over other multichannel programming distributors. In addition, we also indicated that the Commission previously found anecdotal evidence that some vertically integrated programming suppliers and cable operators may have indeed used anticompetitive actions against other programming services and competing multichannel providers.

Please note that we will place Mr. Ramseyer's recommendations in the official record of MM Docket No. 92-265, so that they will receive full consideration prior to any action the Commission takes to implement the provisions of the 1992 Cable Act.

Sincerely,

Roy J. Stewart

Roy J. Stewart
Chief, Mass Media Bureau

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bcc: Secretary's Office, Rm. 222 (2 copies) (MM Docket No. 92-265)

JRColtharp:MMB:PRD:PAB

/usr/pab/coltharp/Correspond/packwood (March 8, 1993)

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ON TAXATION

United States Senate

BOB PACKWOOD
OREGON

*MMB
Satellite
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732*

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February 17, 1993

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
Room 808
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Solheim:

Enclosed you will find correspondence I received
from one of my constituents the FCC's December 24
Notice of Proposed Rule Making.

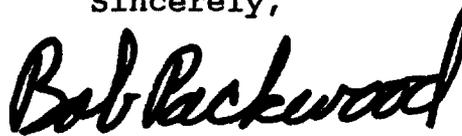
Because of the desire of this office to be
responsive to all inquiries and communications, your
consideration of the attached is requested. Please
send your findings and views to my Washington office:

Senator Bob Packwood
United States Senate
Washington, D.C. 20510

Attention: Carol Halden

Thank you for your assistance.

Sincerely,



BOB PACKWOOD

BP/nl
Enclosures

February 9, 1998



90 FEB 16 PM 4:37

The Honorable Bob Packwood
Russell Building, Room 259
Washington, DC 20510-3702

Dear Senator Packwood:

I am writing you to express my concern about the Federal Communications Commission's Notice of Proposed Rule Making (NPRM) that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Blachly-Lane County Cooperative Electric Association, a consumer-owned,