



**Planters Electric
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25 July 1994

The Honorable William F. Caton, Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, D.C. 20554

Dear Secretary Caton:

This correspondence is to support the Comments of the National Rural Telecommunications Cooperative (NRTC) in the matter of Implementation of Section 19 of the Cable Television Consumer Protection and Competition Act of 1992, Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming, CS Docket No. 94-48.

The major purpose of the NRTC is to provide quality satellite television entertainment through DIRECTV to our rural citizens who are largely not served by cable and have little choice other than satellite programming. Like the majority of rural electric cooperatives, Planters EMC serves rural areas that are sparsely populated with electric service to members who have little or no choice of other electric suppliers. With this same scenario in mind, we ask that the Federal Communications Commission allow both NRTC and Planters EMC to offer complete access to our rural members with television programming at fair rates, comparable to those paid by cable, in order to provide comparable service in rural areas.

As for the opponents to this request, their arguments, we feel, are not in tune with Congress' intent, with the law, or with the program access battle for the last seven years. In fact, we believed that Congress had already resolved this problem two years ago with the Cable Act of 1992.

As for the fairness in billing for the cable and broadcast programming, discriminatory pricing has been detrimental to DIRECTV and is hindering our ability to be competitive in pricing to our rural members. *Is it fair that our organization be charged more for cable and broadcast programming than comparatively-sized cable companies in our local area? Why should rural non-cabled Americans be penalized with higher rates than cabled Americans?* Furthermore, the lack of access to Time Warner and Viacom programming is not fair and will hinder both DIRECTV and Planters EMC in competing in our rural market. Furthermore, these exclusive arrangements are a way for cable programmers to form a monopoly in controlling new competitors such as DIRECTV and NRTC and thus "rip off" rural Americans. These exclusive contracts if allowed to remain will allow cable programmers to dictate the terms and prices of television programming.

We agree with NRTC's position that the FCC should act to enforce the law that Congress set forth with the 1992 Cable Act. We now ask you, Secretary Caton, to monitor this problem and stop these abusive practices by those determined to see that rural Americans are not allowed to access cable programming in their areas -- please uphold what the Cable Act specifies and requires.

Sincerely,

Ellis H. Lovett, General Manager

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