



Shelby Electric Cooperative, Inc.

Page Two

July 25, 1994

While it is true that some programmers have lowered their rates since the implementation of the 1992 Cable Act, we must have fair and equal access to all programming at rates comparable to those paid by cable or we will be unable to offer satellite television at prices acceptable to rural consumers.

In that regard, Shelby Electric joins NRTC in calling on the FCC to monitor and combat the problems that I have mentioned above and to ensure that the intentions of Congress are being upheld with regard to the 1992 Cable Act.

Specifically, I feel that the FCC must prohibit abuses of the program access provisions of the 1992 Cable Act by rule and make it clear that damages will be awarded for program access violations.

I thank you for your attention on this matter.

Sincerely

A handwritten signature in black ink, appearing to read 'James E. Coleman', with a horizontal line extending to the right.

James E. Coleman
General Manager

JEC/cyc

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AUG 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Rm... 814
Washington, D.C. 20554

RE: Cable Competition Report
CS Docket No. 94-48

Dear Chairman Hundt:

I am writing this letter in support of 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.

As an affiliate of NRTC and distributor of the DIRECTV™ direct broadcast satellite (DBS) television service, my company is directly involved in bringing satellite television to rural consumers who are largely not served by cable.

However, despite passage of the 1992 Cable Act, my company's ability to compete in our local marketplace is being hampered by our lack of access to programming owned by Time Warner and Viacom.

This programming, which includes some of the most popular cable networks like HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon and others, is available only to my principal competitor, the United States Satellite Broadcasting Co. (USSB), as a result of an "exclusive" contract signed between USSB and Time Warner/Viacom.

In contrast, none of the programming distribution contracts signed by DIRECTV™ are exclusive in nature, and USSB is free to obtain distribution rights for any of the channels available on DIRECTV™.

Mr. Hundt, my organization agrees with the NRTC that these exclusive programming contracts run counter to the intent of the 1992 Cable Act. I believe that the Act prohibits any arrangement that prevents any distributor from gaining access to programming to serve non-cabled rural areas. Under the present circumstance, if one of my DIRECTV™ subscribers also wishes to receive Time Warner/Viacom product, that subscriber must purchase a second subscription to the USSB

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service. This hinders effective competition, and as a consequence keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases consumer confusion at the retail level.

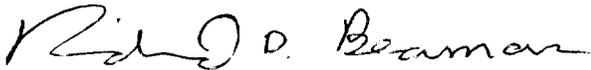
Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against other sources for television in my area. Kansas DBS, L.L.C. is a start-up business in Kansas. Our owners have invested approximately three million dollars in this new venture. Under the present arrangement our customers are confused about the reasons for not being able to purchase HBO/Showtime, etc. directly from us. We not only have to turn "our customers" over to another entity but we also suffer a negative financial impact.

We believe very strongly that the 1992 Cable Act flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cabled areas. That is why we supported the Tauzin Amendment, embodied in Section 19 of the Act.

We ask the FCC to remedy these problems so that the effective competition requirements of Section 19 become a reality in rural America. I strongly urge you to banish the type of exclusionary arrangements represented by the USSB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

Sincerely,



Richard D. Beaman
General Manager

RDB/np

cc: The Hon. Representative Slattery
The Hon. Senator Dole
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong

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I am on the Board of Directors for Dunn County Electric Cooperative and an NRTC member delivering television programming to rural consumers who are largely un-served by cable.

With my consumers living in the rural areas that are sparsely populated, cable many times refuses to provide service and will pass-up these individuals. These rural families have little choice other than satellite for receiving television service.

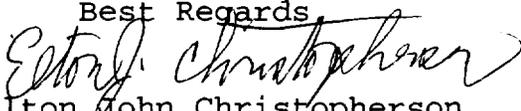
I need complete access to all programming at fair rates, comparable to those paid by cable, in order to provide comparable service to these rural tax payers.

I believe that Congress has already solved the problem two years ago with the passage of the 1992 Cable Act. Yet we are currently being charged significantly more for broadcast programming than comparatively sized cable companies in our local area. This discriminatory pricing has been detrimental to our business and is not providing the "healthy" competition that I believe was designed into the 1992 Cable Act. Why should cable companies continue to enjoy a "monopoly" by paying less for their programming than our organization? How can this be fair? And what or how will the FCC "police" the activities of the cable companies?

This discriminatory pricing hurts both our business but most importantly the consumer, the average American looking for reasonable television programming at a fair, just price, while I'm unable to compete in my own local marketplace.

I agree whole-heartedly with NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. Most importantly, the FCC needs to monitor and act upon violations of these Program Access Violations.

Best Regards,


Elton John Christopherson
Director-DCEC

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FEDERAL COMMUNICATIONS COMMISSION
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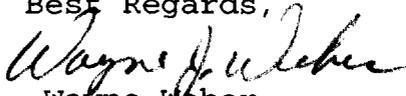
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I believe that Congress has already solved the problem two years ago with the passage of the 1992 Cable Act. Yet we are currently being charged significantly more for broadcast programming than comparatively sized cable companies in our local area. This discriminatory pricing has been detrimental to our business and is not providing the "healthy" competition that I believe was designed into the 1992 Cable Act. Why should cable companies continue to enjoy a "monopoly" by paying less for their programming than our organization? How can this be fair? And what or how will the FCC "police" the activities of the cable companies?

This discriminatory pricing hurts both our business but most importantly the consumer, the average American looking for reasonable television programming at a fair, just price, while I'm unable to compete in my own local marketplace.

I agree whole-heartedly with NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. Most importantly, the FCC needs to monitor and act upon violations of these Program Access Violations.

Best Regards,



Wayne Weber
Director-DCEC

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

RE: Cable Competition Report
CS Docket No. 94-48

Dear Chairman Hundt,

I am writing today in support of the Comments of the National Rural Telecommunications Cooperative (NRTC) regarding implementation of Section 19 of the Cable Television Consumer Protection and Competition Act of 1992. Our company is a new business in Vermont and is affiliated with the NRTC to distribute DIRECTV™ direct broadcast satellite (DBS) television in rural Vermont and New Hampshire. Our customer base is comprised largely of individuals in rural households not served by cable given the sparse population. Often their only hope to receive television comes through their ability to receive satellite service of some kind.

We entered into this business based upon our understanding that the 1992 Cable Act had resolved the issue of our ability to have access to all television programming at fair rates comparable to those paid by our competition. This turns out not to be the case. Specifically, "exclusive" distribution arrangements have been made with United States Satellite Broadcasting Co. Inc. (USSB) for Time Warner and Viacom programming such as HBO, Showtime, Cinemax, The Movie Channel, VH-1, MTV and Nickelodeon. The fact that we cannot provide these channels is a serious detriment to the financial success of our new business and our ability to compete with other services. It will definitely have a profound impact on our investment and our desire and ability to serve our customers.

I urge you, Mr. Hundt, to look closely at the provisions of the 1992 Cable Act and ensure that its purpose is fulfilled. The Act is designed to prohibit any arrangement that prevents any distributor

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from gaining access to programming which could serve rural non-cabled areas of the country. That is why the FCC must remedy these problems in order that the effective competition requirements of Section 19 become a reality for rural places such as ours. Please feel free to call me if you wish to discuss this important issue further.

Sincerely,

A handwritten signature in black ink, reading "Robert W. Bloch". The signature is written in a cursive style with a large, sweeping initial "R".

Robert W. Bloch
President and C.E.O.

cc: The Hon. Bernard Sanders
The Hon. James M. Jeffords
The Hon. Patrick J. Leahy
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong

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Farmers Telephone Cooperative, Inc.

"Where Traditional Values and Modern Technology Meet."

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Dear Chairman Hundt:

This letter is in support of 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.

Farmers Telephone Co-Op (FTC) is an NRTC Rural Telephone Member and an affiliate investor in the DIRECTV project delivering television programming to rural consumers who are largely not served by cable. Many of F.T.C. consumers live in rural areas that are too sparsely populated to receive cable TV. These rural households have little choice other than satellite for receiving television service.

We need complete access to all programming at a fair rate, comparable to those paid by our competition, in order to compete in our local marketplace.

Currently, we do not have DBS distribution rights for Time Warner and Viacom programming, like HBO, Showtime, Cinemax, the Movie Channel, VH-1, MTV, Nickelodeon, etc., because of the "exclusive" distribution arrangements they have made with United States Satellite Broadcasting Co. Inc. (USSB).

A very important example of how the lack of access to Time Warner and Viacom Programming would be detrimental to F.T.C. is consumers who are asking for their programming are unable to get it through us, which could be a loss for our co-op. Farmers Telephone Co-Op is the largest telephone co-op in Alabama which serves only a portion of DeKalb and Jackson Counties. We have purchased the rights to distribute DIRECTV to all of DeKalb and Jackson Counties, which consists of some 40,000 consumers. This is a very large investment for our co-op; especially if we do not have access to this programming.

Why does PrimeStar, wireless cable, cable TV companies, etc. have distribution rights to HBO and Showtime and F.T.C. does not?

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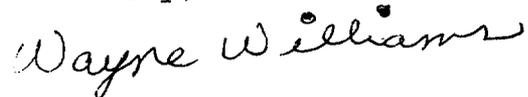
Honorable Reed Hundt
July 25, 1994
page 2

The lack of access to this programming hurts both us and the consumers because under the current USSB exclusive distribution arrangement, consumers interested in receiving Time Warner and Viacom programming must subscribe to two separate competing packages. Offering these services by both DIRECTV and USSB, consumers would be able to choose their service provider, resulting in the primary benefits of effective competition: lower prices and improved service.

None of the programming contracts with DIRECTV are exclusive, so USSB could offer these services if they wish to do so.

Farmers Telephone Co-Op agrees with NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. We ask that you monitor and combat the problem we have mentioned by banishing the type of exclusionary arrangement represented by the USSB/Time Warner/Viacom deal.

Sincerely,



Wayne Williams
DBS Supervisor

cc: The Hon. Tom Bevill
The Hon. Howell T. Heflin
The Hon. Bud Cramer
The Hon. Richard Shelby
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong

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**Allamakee-Clayton
Electric Cooperative, Inc.**

228 W. Greene Street, P.O. Box 715, Postville, IA 52162
(319) 864-7611

July 26, 1994

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AUG 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Dear Chairman Hundt:

I am writing this letter in support of 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 of the Delivery of Video Programming, CS Docket No. 94-48.

As a rural electric member of the NRTC and distributor of the DirecTv direct broadcast satellite (DBS) television service, we are directly involved in providing satellite service to rural consumers.

However, despite passage of the 1992 Cable Act, our ability to compete in our local market is being hampered by our lack of access to programming owned by Time Warner and Viacom.

The United States Satellite Broadcasting Company (USSB), a principle competitor, and Time Warner/Viacom have signed "exclusive" contracts for many channels. These include some of the most popular cable networks like HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon, and others.

In contrast, none of the programming distribution contracts signed by DirecTv are exclusive in nature, and USSB is free to obtain distribution rights for any of the channels available on DirecTv.

Mr. Hundt, we agree with the NRTC that these exclusive programming contracts run counter to the intent of the 1992 Cable Act. We also believe that the Act prohibits any arrangement that prevents any distributor from gaining access to programming to serve non-cabled rural areas. Under the present circumstances, if one of our DirecTv subscribers also wishes to receive Time Warner/Viacom product, that

OFFICERS

ROGER ARTHUR, President
RODNEY DREWES, Vice President
DUANE L. KLINK, Sec./Treas.

LARRY W. REED, General Manager

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DIRECTORS

DAVID ADAM
LEO F. BYRNES
LaVERNE J. GARMS
MELVIN C. SCOTT
KENNETH TIMMERMAN
BERNARD J. WELSH

Hon. Chairman Reed Hundt
Page 2
July 26, 1994

subscriber must purchase a second subscription to the USSB service. This imposes substantially higher costs on the consumer and hinders effective competition, and as a further consequence keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases consumer confusion at the retail level.

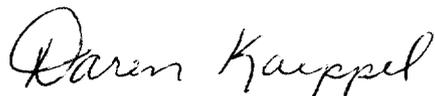
Not having access to the Time Warner/Viacom services has also adversely affected our ability to compete against other sources for television in our area. Primestar, which is a large cable owned medium powered DBS service, is able to proclaim "one stop shopping". This is due to the fact that they have rights to sell premium and basic services. By splitting programming access for a competitor, the large cable companies have been able to stifle competition for their Primestar service.

We strongly believe that the 1992 Cable Act flatly prohibits an exclusive arrangement that would prevent any distributor from gaining access to cable programming to serve rural areas. This is why we supported the Tauzin Amendment, embodied in Section 19 of the Act.

We ask the FCC to remedy these problems so that the effective competition requirement of Section 19 become a reality in rural America. In addition, we strongly urge you to banish the type of exclusionary arrangements represented by the USSB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

Sincerely,



Daren Kaoppel
Manager, DBS Operations

cc: The Hon. Charles Grassley
The Hon. Tom Harkin
The Hon. James Nussle
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong



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July 19, 1994

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The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M Street, NW, Rm. 814
Washington, DC 20554

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AUG 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

RE: Cable Competition Report
CS Docket No. 94-48

Dear Chairman Hundt:

As an affiliate investor of National Rural Telecommunications Cooperative and distributor of the DIRECTV™ direct broadcast satellite (DBS) television service in eight rural counties in North Georgia, my company, ViewStar Entertainment Services, Inc., is directly involved in bringing satellite television to rural consumers.

Currently my company's ability to compete in our local marketplace is being hampered by our lack of access to programming owned by Time Warner and Viacom. This programming which includes some of the most popular cable networks like HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon and others, is available only to my principal competitor, the United States Satellite Broadcasting Co. (USSB), as a result of an "exclusive" contract signed between USSB and Time Warner/Viacom.

Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against local cable TV systems and PrimeStar in my area. It is my understanding that none of the programming distribution contracts signed by DIRECTV are exclusive in nature, and USSB is free to obtain distribution rights for any of the channels available on DIRECTV.

Mr. Hundt, my organization agrees with the NRTC that these exclusive programming contracts run counter to the intent of the 1992 Cable Act. I believe that the Act prohibits any arrangement that prevents any distributor from gaining access to programming to serve non-cabled rural areas. Under the present circumstance, if one of my DIRECTV subscribers also wishes to receive Time Warner/Viacom product, that subscriber must purchase a second subscription to the USSB service. This hinders effective competition, and as a consequence keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases consumer confusion at the retail level.

I believe very strongly that the 1992 Cable Act flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cabled areas.

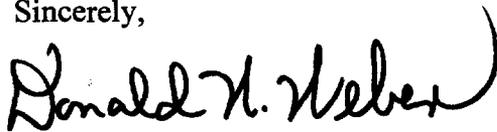
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The Honorable Reed Hundt, Chairman
July 19, 1994
Page Two.

View Star's management asks the FCC to remedy these problems so that the effective competition requirements of Section 19 become a reality in rural America. I strongly urge you to banish the type of exclusionary arrangements represented by the USSB/Time/Warner/Viacom deal.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Donald W. Weber". The signature is written in a cursive style with a large, sweeping flourish at the end.

Donald W. Weber
President and CEO

cc.

The Hon. Senator Sam Nunn
The Hon. Senator Paul Coverdell
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness

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DEEP EAST TEXAS TELECOMMUNICATIONS, INC.

202 Tenaha Street - P. O. Box 708
Center, Texas 75935
(409) 598-2000 - Fax (409) 598-2003

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OFFICE OF SECRETARY

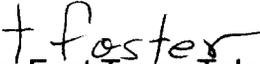
The Honorable Andrew C. Barrett
Commissioner
Federal Communications Commission
1919 M Street, NW, Rm. 826
Washington, DC 20554

Dear Mr. Barrett:

We would like to make you aware of our concerns on the Comments of the National Rural Telecommunications Cooperative (NRTC). We have enclosed a copy of a letter to Chairman Reed Hundt of the Federal Communications Commission.

We appreciate your review of this letter and your attention to this matter.

Sincerely,


Deep East Texas Telecommunications, Inc.
Tolbert Foster, President

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DEEP EAST TEXAS TELECOMMUNICATIONS, INC.
202 Tenaha Street - P. O. Box 708
Center, Texas 75935
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We are an NRTC member in the DIRECTV project delivering television programming to rural consumers who are largely not served by cable. Most of our consumers live in rural areas that are too sparsely populated to receive Cable TV. These households have very little choice other than satellite for receiving television service.

Therefore, we need complete access to all programming at fair rates, comparable to those paid by our competition, in order to compete in our local marketplace. We believed that Congress had already solved this problem two years ago with the passage of the 1992 Cable Act.

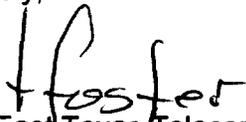
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We agree with NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. This flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cabled areas.

Mr. Hundt, we strongly urge you to monitor and combat the problems we have called attention to by banishing the type of exclusionary arrangements represented by the USB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

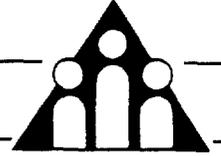
Sincerely,

A handwritten signature in black ink, appearing to read "T. Foster". The signature is written in a cursive, somewhat stylized font.

Deep East Texas Telecommunications, Inc.
Tolbert Foster, President

CC: William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Rachelle B. Chong
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Charles Wilson
The Hon. Phil Gramm
The Hon. Kay Bailey Hutchison

Tri County
ELECTRIC
COOPERATIVE



1100 West Grand River Avenue
P.O. Box 379
Portland, Michigan 48875-0379
Telephone: (517) 647-7554
(800) 848-9333

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 18, 1994

The Honorable Andrew C. Barrett
Commissioner
Federal Communications Commission
1919 M Street, NW, Rm. 826
Washington, DC 20554

Dear Chairman Barrett:

This letter is written in support of the Comments of the National Rural Telecommunications Cooperative (NRTC) in the matter concerning the 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.

Tri-County Electric is a rural electric utility company, and a NRTC member whose service area includes largely rural areas which are not serviced by cable. These rural families have little choice other than satellite for receiving cable television programming. Tri-County Electric is helping to provide satellite television programming to these consumers.

Currently, Tri-County Electric is forced to pay more for access to popular cable and broadcast programming than cable companies of comparable size in our area. These inflated rates in turn forces us to charge a higher rate to consumers for our service. This fact, on top of equipment costs, has contributed to many people not joining the age of satellite television.

It was my impression that, in the 1992 Cable Act, Congress had mandated that all distributors should be granted equal access to cable and broadcast programming services at non-discriminatory rates. If so, why are the cable companies in our area receiving programming at lower rates than us?

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We will be unable to offer satellite television at prices acceptable to rural consumers unless fair and equal access to all programming is available. In that regard, Tri-County Electric Cooperative joins NRTC in calling on the FCC to monitor and combat the problems that I have mentioned above and to ensure that the intentions of Congress are being upheld with regard to the 1992 Cable Act.

Specifically, I feel that the FCC must prohibit abuses of the program access provisions of the 1992 Cable Act by rule and make it clear that damages will be awarded for program access violations. The FCC is starting to help cabled customers by lowering their costs; please help the satellite customers by implementing the provisions to lower their costs.

Thank you for your attention on this matter.

Sincerely,

R. W. Matheny

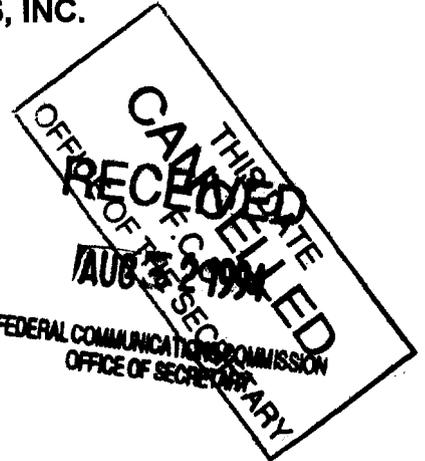
Robert Matheny
General Manager

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We are writing this letter in support of 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, C S Docket No. 94-48.

We are an NRTC member in the DIRECTV project delivering television programming to rural consumers who are largely not served by cable. Most of our consumers live in rural areas that are too sparsely populated to receive Cable TV. These households have very little choice other than satellite for receiving television service.

Therefore, we need complete access to all programming at fair rates, comparable to those paid by our competition, in order to compete in our local marketplace. We believed that Congress had already solved this problem two years ago with the passage of the 1992 Cable Act.

We currently do not have DBS distribution rights for some of the most popular programming, like HBO, Showtime, Cinemax, The Movie Channel, VH-1, MTV, Nickelodeon, ect., because of the "exclusive" distribution arrangements they have made with United States Satellite Broadcasting Co. Inc. (USSB). Consequently, consumers interested in receiving this programming must subscribe to two separate packages. If these services were offered by both DIRECTV and USSB, our consumers would have a choice about their service provider. None of the programming contracts signed with DIRECTV are exclusive and USSB could offer those services if it wanted to.

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We agree with NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. This flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cabled areas.

Mr. Hundt, we strongly urge you to monitor and combat the problems we have called attention to by banishing the type of exclusionary arrangements represented by the USSB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

Sincerely,



Deep East Texas Telecommunications, Inc.
Tolbert Foster, President

CC: William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Rachelle B. Chong
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Charles Wilson
The Hon. Phil Gramm
The Hon. Kay Bailey Hutchison

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C594-48

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July 18, 1994

RECEIVED

Commissioner Andrew C. Barrett
Federal Communication Commission
1919 M Street, N.W. Room 844
Washington, D.C. 20554

AUG 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. Barrett:

Sir I'm not sure if you are the individual I should be writing to but your name is the one which looked familiar to me. I have been confronted with a serious legal dilemma which I hope you can help me with or direct me to someone.

I would like to thank you for your time and assistance with this problem. It has really been an interesting time for my local ARES group in an attempt to solve it.

I would like to give you some of my background to attempt to fill you in on my present knowledge.

Technician class Amateur Radio Operator (N8KIY)
Emergency Medical Technician, State of Ohio (EMT-A)
Nationally Certified Emergency Medical Dispatcher (NAEMD)
Assistant Emergency Coordinator for the Central Ohio ARES
Bulletin Editor for Central Ohio ARES

I have been involved in many aspects of Amateur Radio and the Medical Field for several years now. Its important for me to be correct with my judgement calls and procedures.

The problem is that I fear I may break the rule/regulations part 97.113(a) regarding business communications and Amateur Radio while participating in an ARES event.

I want to provide the situation that this concerns. Say I'm working as a paid EMT to provide care for victims, transport to medical facilities in a DOT approved vehicle, and to communicate over two-way radios. Now one of the 13 elements of an EMS system is communications which I get paid to talk on.

During a typical ARES event such as a run Amateur Radio Operators are assigned to install in the ambulances and talk when a participant gets hurt. Now if I call up to the net and tell the "net control" station that I'm responding or that the water stop needs supplies I understand that I'm doing business communications since I get paid to use a radio to respond to treat a victim.

I understand that in a real emergency most people will conclude that the rules go out the window. My concern is that since an ARES event is a planned activity and a Amateur Operator has been

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provided just for the purpose of the event there technically is no "real" emergency.

I know that a volunteer Amateur can ride in the ambulance and communicate and not break the rules since they are providing safety for the event participants. When I talk on the radio with my call sign and I am getting paid to provide safety for the participants, which includes radio communications, I think I may be breaking the rules.

I hope that I have been able to completely explain the my problem with business and Amateur Radio communications. This is becoming an important issue and as more people enter the Amateur Radio world.

I would appreciate any assistance that you can provide regarding business communications. I have several methods in which you can contact me and I'll list them for you.

U.S. Mail Herbert William Rodehaver Jr.
 3838 Kenard Court
 Whitehall, Ohio 43213
 (614) 236-8257 home after 6:00pm
 (614) 846-7500 work 8:00am - 4:30pm

Compuserve - 73740,302

Greater Columbus Free-Net

hwrodeha@freenet.columbus.oh.usa

I would be grateful for any assistance to clear this up. We have several events which this is taking place and the sooner this is cleared up then the better I will feel. Right now I'm afraid that I may break the rules and I would like to not do that.

Respectfully,



Herbert William (Bill) Rodehaver Jr.



133 South Third Street • Suite 330
Louisville, Kentucky 40202
Phone: (502) 582-4420
Fax: (502) 582-4426

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AUG - 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 27, 1994

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Rm. 814
Washington, DC 20554

Dear Chairman Hundt:

I am writing in support of 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.

Direct Programming Service is an affiliate of NRTC in the DIRECTV project whose goal it is to deliver quality television programming to rural areas not served by cable. Here in the state of Kentucky, many consumers only alternative to poor, off air reception of one or two channels is satellite television. We need complete access to all programming at fair prices, comparable to those paid by our competition, in order to compete in our marketplace. We had believed that Congress had already solved this problem with the passage of the 1992 Cable Act.

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Direct Programming Service currently does not have DBS distribution rights for Viacom and Time Warner programming like HBO, Showtime, Cinemax, The Movie Channel, MTV, VH-1 and Nickelodeon because of the "exclusive" distribution arrangements they have made with United States Satellite Broadcasting Company, Inc.(USSB). Other distributors of programming like Primestar, cable companies in Kentucky and local and regional wireless cable organizations have gained access to these Viacom and Time Warner services while we have not. This severely damages our ability to compete in Kentucky which in the final analysis will be detrimental to consumers in the state.

This existing situation has caused much confusion among consumers. Under the current arrangement, customers who wish to subscribe to DIRECTV programming and include Time Warner and Viacom services must subscribe to two separate, competing packages. The consumer then will receive two separate bills for their programming and be forced to call two different numbers to add to or change their service. We have spoken to many consumers who do not understand why they cannot purchase HBO and Showtime from our organization. In fact, we have had some customers who have decided to not purchase DIRECTV programming because we could not offer them the convenience of receiving one programming statement per month.

If these services were offered by both DIRECTV and USSB, consumers would be able to choose their programming provider. This would result in improved and effective competition which always leads to benefits to the consumer. These are, of course, improved service and lower prices.

One situation that exists that we do not understand is the fact that none of the programming contracts signed by DIRECTV are exclusive, which we believe is the way things should be. USSB could offer these services if they chose to. On the other hand, we are locked out of providing our customers with the Time Warner and Viacom services.

We agree with the NRTC's position that the FCC should act now to enforce the wishes of Congress and the American people as put forth in the 1992 Cable Act. Please, Mr. Chairman, closely monitor this situation and banish this type of exclusionary agreement represented by the USSB/Time Warner/Viacom deal.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Corley", with a large, sweeping flourish at the end.

Bill Corley
President

cc: The Hon. Representative Romano Mazzoli
The Hon. Representative Hal Rogers
The Hon. Representative Jim Bunning
The Hon. Representative Scotty Baeseler
The Hon. Representative Ron Lewis
The Hon. Senator Wendell Ford
The Hon. Senator Mitch McConnell
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong
Steve Bing