

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.

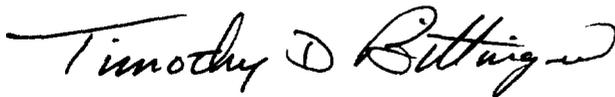
Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against other sources for television in my area. When we have been showing the satellite television people are questioning why they are not able to get HBO or Showtime when it is movie channels that they are wanting.

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,



Timothy D. Bittinger
Clarks Telephone/ President

cc:

The Hon. Representative Doug Bereuter
The Hon. Senator J. Robert Kerrey
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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Radnor, PA 19087



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July 26, 1994

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AUG 3 1994

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 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 a rural cable television provider, affiliate of the NRTC and provider/distributor of DIRECTV™ direct broadcast satellite (DBS) television service, my company is directly involved in bringing satellite television to rural consumers.

However, despite passage of the 1992 Cable Act, my company's ability to compete in our local DBS 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 such as HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon and others is available to my principal competitors, United States Satellite Broadcasting Company (USSB) and Primestar. It is not available to Pegasus (or DIRECTV™) 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

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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.

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.

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,



Marshall W. Pagon
President, CEO

cc: 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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DigiCom Services, Inc. EX PARTE OR LATE FILED

Post Office Box 803
713 Laurel Drive
Sandersville, Georgia 31082
1-800-241-3999



Member National Rural Telecommunications Cooperative

July 28, 1994

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

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AUG - 3 1994

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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 Status of Competition in the Market for the Delivery of Video Programming, CS Docket No. 94-48.

DigiCom Services, Inc. is an affiliate of NRTC and a distributor of the DIRECTV™ direct broadcast satellite (DBS) television service. We are directly involved in bringing satellite television to the rural areas of America.

My company's ability to compete has been severely hampered by the lack of access we have to programming owned by Time Warner and Viacom. This situation exists despite the passage of the 1992 Cable Act.

The programming we are unable to obtain includes some of the most popular networks today like HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon and others. If a consumer wishes to receive these channels they would have to turn to my principal competitor, the United States Satellite Broadcasting Company, (USSB), as a result of an "exclusive" contract signed between USSB and Time Warner/Viacom.

In contrast to this "exclusive" deal none of the programming distribution contracts signed by DIRECTV are exclusive, and USSB is free to provide any of the channels available on DIRECTV.

Mr. Hundt, my organization is in agreement with the NRTC that these exclusive programming contracts run counter to the intent of the 1992 Cable Act. It is my understanding that the Act prohibits any arrangement that prevents any distributor from

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The Honorable Reed Hundt
Page 2
July 28, 1994

gaining access to programming to serve rural areas that cannot receive cable. Under the circumstances that exist now, if one of my DIRECTV subscribers wanted to obtain one of the channels owned by Time Warner/Viacom, the subscriber would have to purchase a second subscription to the USSB service. This hinders effective competition, and also keeps the price of the Time Warner/Viacom channels unnecessarily high. Consumer confusion is also increased at the retail level.

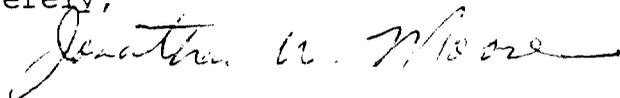
My ability to compete with other sources for television in my area have also been hampered by not having access to the Time Warner/Viacom channels. All of the TVRO dealers are able to provide channels like HBO, Showtime, Cinemax, and the Movie Channel while we are not. When a consumer learns that they cannot get one of these channels through us, and that they would have to go through a separate program provider, many are deterred.

We believe very strongly that the 1992 Cable Act out right 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 solve 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 exclusive contract that USSB and Time Warner/Viacom have entered into.

Thank you for your consideration in this matter.

Sincerely,



JONATHAN W. MOORE
President

JWM:kbr

cc: The Honorable Cynthia McKinney
The Honorable J. Roy Rowland
The Honorable Sam Nunn
The Honorable Paul Coverdell
William F. Caton, Secretary
The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Susan Ness
The Honorable Rachelle B. Chong



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214 W. Whitfield Street
P.O. Box 730
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(919) 445-4411
1-800-775-0068

July 29, 1994

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

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

Dear Chairman Hundt:

The purpose of this letter is to document support of the comments of the National Rural Communications 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 delivery of Video Programming, CS Docket No. 94-48.

PrimeWatch, Inc., is a subsidiary of a rural electric member of NRTC and a distributor for DirecTv Tm direct broadcast satellite (DBS) television service. We are involved in bringing satellite television to rural consumers throughout North Carolina. (PrimeWatch has no relationship to PrimeStar who is named in related correspondence and the similarity is totally coincidental.)

When the Cable Act of 1992 was passed, we felt that the "playing field had been leveled" and our access to all programming at a fair price was a reality. But today we are still at a competitive disadvantage since we don't have reasonable access to programming owned by Time Warner and Viacom.

Under the new DBS technology, some of the most popular programming such as HBO and Showtime distribution is controlled by an exclusive deal between United States Satellite Broadcasting (USSB) and Time Warner/Viacom. It was our understanding that the new act prohibited such exclusivity. In comparison, none of DirecTv's arrangements are exclusive and USSB has full access, if desired.

Our consumers are confused and rightfully so - they cannot understand why they can't buy everything they need from us.

A Subsidiary of Halifax Electric Membership Corporation

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For example if they want CNN (from us) and HBO (from them), they have to buy two packages from two sources. Quite an aggravation for the consumer!

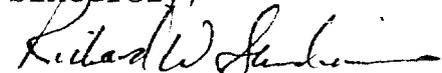
As we have started to build our DBS business, we have had a lot of consumers who refuse to buy (hardware or programming) from us because we don't have access to those products. This is a complex business even when the playing field is level. The confusion and inconvenience being forced on rural America is totally unnecessary.

We believe very strongly that the 1992 cable Act absolutely 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.

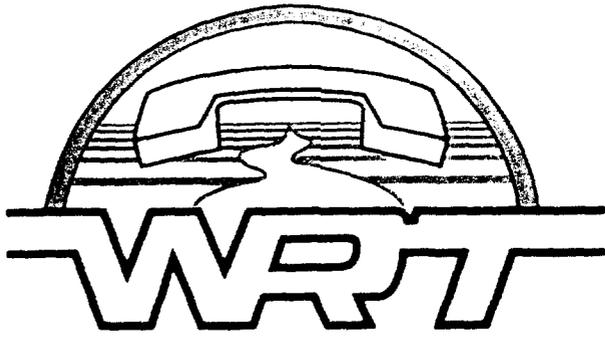
Sincerely,


Richard W. Sanderson
Assistant General Manager

via facsimile & U.S. mail

cc:

The Honorable Representative Eva M. Clayton
The Honorable Senator Lauch Faircloth
The Honorable Senator Jesse Helms
William R. Caton, Secretary
The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Susan Ness
The Honorable Rachelle B. Chong



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TELECOMMUNICATIONS COOPERATIVE

P.O. BOX 467 HAZEN, NORTH DAKOTA 58545

TELEPHONE: (701) 748-2211

FAX: (701) 748-6800

July 27, 1994

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AUG 3 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW Rm. 814
Washington, DC 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 a rural telephone member of NRTC and a distributor of the DIRECTV Direct Broadcast Satellite (DBS) television service, my company is directly involved in bringing satellite television to rural consumers in North and South Dakota.

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 (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.

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NORTH DAKOTA

SERVING THE AREA OF NORTH DAKOTA AND SOUTH DAKOTA ...

*The Honorable Reed Hundt, Chairman, FCC
July 27, 1994
Page 2*

Mr. Hundt, West River Telecommunications 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 circumstances, if one of my DIRECTV subscribers also wishes to receive Time Warner/Viacom product, that subscriber must purchase a second subscription to 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.

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.

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 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,

*Rockne T. Bonsness
Marketing Representative*

RTB/co

cc:

The Hon. Representative Earl Pomeroy, North Dakota

The Hon. Representative Tim Johnson, South Dakota

The Hon. Senator Kent Conrad, North Dakota

The Hon. Senator Byron Dorgan, North Dakota

The Hon. Senator Thomas Daschle, South Dakota

The Hon. Senator Larry Pressler, South Dakota

William F. Caton, Secretary

The Hon. James H. Quello

The Hon. Andrew C. Barrett

The Hon. Susan Ness

The Hon. Rachelle B. Chong