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Olney, Texas 76374  
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(Olney) 817-564-5659

July 25, 1994

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RECEIVED  
JUL 29 1994  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

*The Honorable Reed Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, NW, Rm. 814  
Washington, D.C. 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 for the Delivery of Video Programming, CS Docket No. 94-48.*

*Brazos Telephone Cooperative was founded 40 years ago. Our purpose today, as it was then, is to bring good quality, affordable telephone service to the rural areas of five counties we serve in north Texas. Our members now enjoy the latest technology available and our goal is to continue to provide the finest telephone service available to our rural customers, as well as meeting all of their communications needs.*

*We were naturally delighted to have the opportunity to provide direct broadcast satellite (DBS) television service to consumers in our rural service area. Until now, our customers have had little choice other than satellite for receiving television service. Our desire is to provide rural consumers with entertainment and communications opportunities previously available only to city dwellers. Our customers have shown an amazing response to the availability of the direct broadcast satellite television service. DirecTV is the vehicle we have chosen to deliver the latest technology in this industry to our rural customers.*

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*Reed Hundt, Chairman, FCC, Page 2*

*Because of the "exclusive" distribution arrangements between Time Warner/ Viacom and United States Satellite Broadcasting Co., Inc., we are unable to offer popular programming like HBO, Showtime, Cinemax, The Movie Channel, VH-1, MTC, Nickelodeon, etc. Our rural customers merit the variety in programming offered through Time Warner/ Viacom, which is now available only to the United States Satellite Broadcasting Co. exclusively.*

*It was my impression that Congress had guaranteed equal access to cable and broadcast programming for all distributors with the passage of the 1992 Cable Act. Despite this fact, however, our rural consumers will continue to be treated unfairly by the cable industry.*

*Brazos Telephone Cooperative has worked to be a leader in our local business community. We have built a reputation for exceptional customer service. I believe that the exclusivity rights will hurt the rural consumers and hinder our ability to compete and retain the reputation we have worked to build.*

*I strongly urge you to monitor this situation and help ensure that rural consumers have DBS television services technology available to them at competitive prices.*

*Thank you for your consideration in this matter.*

*Sincerely,*



*Richard D. Adams  
Exec. Vice-President/General Manager  
Brazos Telephone Cooperative, Inc.  
DBA Brazos Digital Television Services*

*RDA/mp*

*cc:*

*The Hon. Congressman Charles Stenholm  
The Hon. Senator Kay Bailey Hutchison  
The Hon. Senator Phil Gramm  
William F. Caton, Secretary  
The Hon. James H. Quello  
The Hon. Andrew C. Barrett  
The Hon. Susan Ness  
The Hon. Rachelle B. Chong*



# Boone Electric Satellite Systems, Inc.

a wholly owned subsidiary of Boone Electric Cooperative

AUG 0 8 1994

FOO MAIL ROOM

1413 Range Line • P. O. Box 797 • Columbia, MO 65205-0797 • (314) 876-1266

July 28, 1994

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

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Dear Chairman Hundt:

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

Boone Electric Satellite Systems, Incorporated, (B.E.S.S.I.), is a subsidiary of Boone Electric Cooperative, located in Columbia, Missouri. B.E.S.S.I. serves Boone, Howard, Callaway, Consolidated, and southern Randolph counties. Boone Electric Cooperative serves over 20,700 members. B.E.S.S.I. now has over 750 subscribers to Rural Electric Satellite viewing, and this number is increasing at a steady pace since the Direct Broadcast System's (DBS) are on the market now. DBS will be more affordable than the current C-Band dishes, and the rural citizens will have more opportunities for rural viewing enjoyment. We do not currently have DBS distribution rights for Time Warner and Viacom programming like HBO, Showtime, Cinemax, The Movie Channel, MTV, VH1, and other programming because of exclusive distribution arrangements they have made with United States Satellite Broadcasting Co. Inc. (USSB). This concern sets precedent which limits options now, but will stifle the availability of information and educational sources in the future.

B.E.S.S.I.'s mission is to improve quality of life with information, education, and entertainment, responsibly to rural citizens. In order to do this we need to have programming at fair rates, comparable to those in local marketplace. The 1992 Cable Act was supposed to reinforce this, however, satellite distributors and consumers continue to be treated unfairly by the cable industry.

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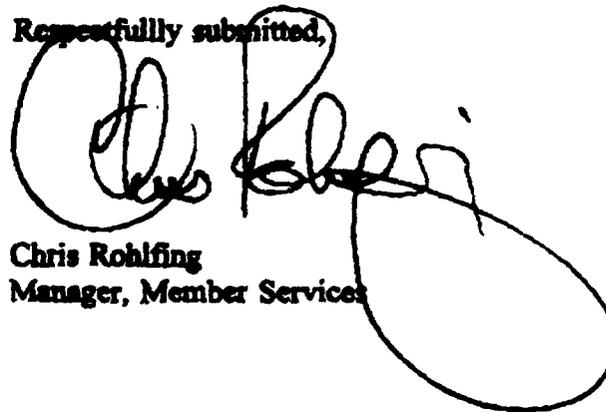
AUG 02 1994

page 2

Boone Electric Satellite Systems, Inc. strongly agrees with NRTC's position that the FCC should act to enforce the wishes of Congress that were included in the 1992 Cable Act, and flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cable 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 this will not hinder the efforts of our organization, and for education and information as well as entertainment to the greatest number of people in the rural area.

Thank you for your consideration in this matter.

Respectfully submitted,



Chris Rohlfing  
Manager, Member Services

pc:

The Hon. Representative Harold L. Volkmer  
The Hon. Senator John C. Danforth  
The Hon. Senator Christopher S. Bond  
William F. Caton, Secretary  
The Hon. James H. Quello  
The Hon. Andrew C. Barrett  
The Hon. Susan Ness  
The Hon. Rachelle B. Chong



# Bluebonnet *Electric* Cooperative, Inc.

Bastrop - Brenham - Giddings - Lockhart

P.O. Box 240 • Giddings, Texas 78942-0240 • (409) 542-3151 • FAX (409) 542-1187

July 19, 1994

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**JUL 26 1994**

**FCC MAIL ROOM**

DOCKET FILE COPY ORIGINAL

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 filed by 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 electric member of NRTC, Bluebonnet Electric Cooperative, Inc. is directly involved in the distribution of C-band satellite television programming to almost 50,000 rural consumers in Central Texas.

Currently, Bluebonnet pays significantly more for access to popular cable and broadcast programming for home satellite viewing than comparably sized cable companies in our area. The fact that we are forced to pay inflated rates for program access means higher prices for our members.

In addition, many of the members we serve live in remote areas not served by cable and receive poor quality off-air television. Since these consumers have limited choices for multichannel television programming other than satellite, they are forced to pay higher rates for access to television than their counterparts with access to cable.

We understood that, in the 1992 Cable Act, Congress had mandated that all distributors (cable, satellite and otherwise) should be granted equal access to cable and broadcast programming services

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*Quigley*

July 19, 1994

at similar rates. If this is the case, why are we still paying more for many programming services than comparably sized cable companies? While it is true that some programmers have lowered their rates since the implementation of the 1992 Cable Act, our members deserve 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.

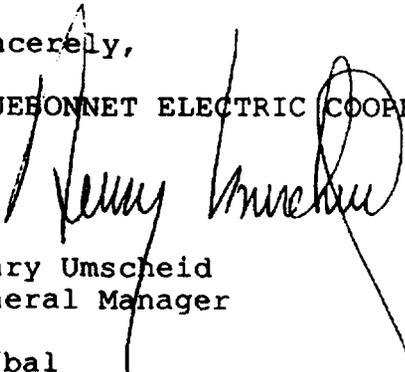
On this issue, Bluebonnet Electric Cooperative, Inc. joins NRTC in asking the FCC to monitor and alleviate the problems that I have mentioned above and to ensure that the intentions of Congress are being upheld with regard to the 1992 Cable Act.

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,

BLUEBONNET ELECTRIC COOPERATIVE, INC.



Henry Umscheid  
General Manager

HU/bal

cc: ✓ Mr. William F. Caton  
The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness  
Ms. Joyce Welch

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Blocker Electronics  
225 Golf Links Road  
Hot Springs, Arkansas

JUL 27 1994

July 22, 1994

FCC MAIL ROOM

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

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

Dear Chairman Hundt:

I am writing this letter to ask you to use your good offices for the benefit of rural America and the fair competition of business in the field of Telecommunications.

My company agrees with the comments of National Rural Telecommunications Cooperative (NRTC), toward the implementation of Section 19 of the Cable Television Consumer Protection and Competition Act of 1992. The Annual Assessment of the Status of Competition in the Market, for Delivery of Video and Programming. CS Docket No.94-48

Our state of Arkansas with it's mountains and valleys, remote and rough terrain, makes Satellite Television almost a necessity instead of a luxury. Ordinary Television signals are not good in many areas and cable not to be available for some years. The people have no other means than Satellite to receive Television Programming.

My company is directly involved in bringing Satellite (DBS) to rural customers and servicing that equipment. We are Rural Electric Members and Distributors of DIRECTV, Direct Broadcast Satellite (DBS).

We are experiencing some lack of ability to compete in the market of our product and service because we don't have access to programming controlled by Time Warner/Viacom. They have arranged "exclusive" contract rights with United States Satellite Broadcasting Company (USSB) for programming such as Showtime, HBO, Cinemax, Nickelodeon and other of the most popular contracts.

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*Orig*

When the 1992 Cable Act was passed, we thought this problem was solved. None of the contracts for program distribution signed by DIRECTV are exclusive and they can be obtained by USSB.

I have had many customers back off from deals because we can not furnish them programming such as HBO/Showtime. They are confused at the retail level because they don't see why we can't give them that service. This directly affects our sales and service.

Under the present circumstances, if a rural customer wants to receive a Time Warner/Viacom channel, they must buy a second and costly subscription from USSB. We feel this is unfair to the public as well as business.

We think these exclusive contracts run counter to the intent of the 1992 Cable Act. That the act prohibits any arrangement that prevents access by any distributor to programming that would best serve rural, non-cabled areas. This is why we and NRTC supported the Tauzin Amendment in Section 19 of the Cable Act.

Finally Sir, we respectfully ask you to restore the effective competition in Telecommunications by making Section 19 a reality for rural America. We urge you to do away with exclusive arrangements, such as Time Warner/Viacom now use and restore fair competition to the market.

My respectful thanks for your consideration in this matter.

Sincerely,



Byron Blocker

cc:

The Hon. Representative, Jay Dickey  
The Hon. Representative, Ray Thornton  
The Hon. Senator, David Pryor  
The Hon. Senator, Dale Bumpers  
William F. Caton, Secretary  
The Hon. James H. Quello  
The Hon. Andrew C. Barrett  
The Hon. Susan Ness  
The Hon. Rachelle B. Chong



# BALDWIN COUNTY ELECTRIC MEMBERSHIP CORPORATION

P. O. DRAWER 220 • SUMMERDALE, AL. 36580-0220 • (205) 989-6247

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JUL 28 1994

July 22, 1994

FCC MAIL ROOM

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

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Dear Chairman Hundt:

We are writing this letter in support of the comments filed by 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 Delivery of Video Programming, CS Docket No. 94-48.

Baldwin County Electric Membership Corporation, which participates in the Direct Broadcast Satellite (DBS) market, is a rural electric cooperative and a member of NRTC. Along with NRTC, we are deeply disturbed that we are being forced to pay inflated rates for programming and that DirecTV™, a division of GM Hughes, and NRTC have no access to programming by Time Warner and Viacom for our Digital Satellite System. Of-course, these are the two largest, most vertically integrated cable programmers in the country which control HBO, Showtime, Cinemax, The Movie Channel, MTV, VH1 and other programming. Due to their exclusive agreement between the programmers and United States Satellite Broadcasting Co. Inc. (USSB), these exclusive arrangements severely hamper NRTC and DirecTV from competing fairly in the DBS marketplace. The playing field is definitely in favor of the vertically integrated cable programmers and Primestar, the medium power Ku-band satellite service they own. They make DBS less effective as a competing technology because they allow the cable industry to structure the rules and programming of its competitors, and allow the vertically integrated cable industry to control DBS as a competitive force.

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**The Honorable Reed Hundt**

**Page 2**

Certain programmers - like Time Warner and Viacom - have simply refused to sell programming to some distributors, such as NRTC and DirecTV. We feel these exclusive practices hurt our ability to market our DBS service to our rural consumers and penalizes consumers who reside in rural areas.

In essence, as a result of this exclusivity we strongly feel that cable companies, USSB and PrimeStar have the ability to carve up the DBS market and allows them to have an unfair competitive advantage.

It is our impression that in the 1992 Cable Act Congress mandated all distributors (cable, satellite and other programming services) should be granted equal access to cable and broadcast programming services at non-discriminatory rates. According to the 1992 Cable Act, it is only fair that NRTC and DirecTV have fair and equal access to all programming at rates comparable to those paid by cable, USSB and PrimeStar so we may offer all programming services for our DBS/DirecTV venture at prices acceptable and fair to our rural consumers.

We, Baldwin County EMC, wholeheartedly join NRTC in calling on the FCC to monitor and combat the problems that have been addressed to ensure that the intentions of Congress are being upheld with regard to the 1992 Cable Act.

Sincerely,

cc: **The Hon. William F. Caton**  
**The Hon. James H. Quello**  
**The Hon. Andrew C. Barrett**  
**The Hon. Susan Ness**  
**The Hon. Rachelle B. Chong**  
**The Hon. Senator Howell Heflin**  
**The Hon. Senator Richard Shelby**  
**The Hon. Representative Sonny Callahan**



Elmer McDaniel  
General Manager



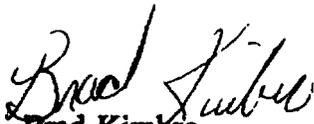
Leon Richardson  
Area General Manager



Maurice Blackmon  
Controller



Doug Byrd  
Supervisor of Communication  
and Control



Brad Kimbro  
Telecommunications Coordinator

# CEDAR VISION, INC.

Phone 254-3933

Box 157 • Hartington, NE 68739

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July 25, 1994

AUG 01 1994

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

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Dear Chairman Hundt:

We support the National Rural Telecommunications Coop(NRTC) regarding their Implementation of Section 19 of the cable Television Consumer Protection and Competition Act of 1993, Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming, CS Docket No. 94-48.

We consider the agreement between USSB, Time Warner and Viacom to be exclusive programming and a flagrant manipulation of the intent of the 1992 cable law. This agreement prevents us from offering HBO, Showtime, Cinemax, The Movie Channel, MTV and VH-1 to our customers.

The rural telephone and electric companies have millions of dollars invested in the new DBS services. We did this in good faith that all programming would be available to us to provide to our rural customers. We think USSB's exclusive deal represents a flagrant manipulation of the 1992 cable law.

Since you are new to the FCC, you may not be aware of our role in rural video distribution. We feel you want to be fair with the grassroot consumers.

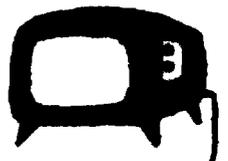
Yours truly,



Wm D. Dendinger  
Manager

cc: Commissioners Rachelle B. Chong  
Commissioners Susan Ness  
N.R.T.C.

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Clear Vision, Inc.  
P.O. Drawer 30  
Louisville, MS 39339

Hon. Reed Hundt  
FCC  
1919 M Street, NW, Rm. 814  
Washington, D.C. 20554



MOCK-A



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**CENTRAL**  
**INDIANA**  
**COMMUNICATIONS**  
**INC.**

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JUL 27 1994

FCC MAIL ROOM

July 23, 1994

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

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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 distributor of the DIRECTV™ direct broadcast satellite (DBS) television service, our company is involved in bringing satellite television to rural consumers.

However, despite passage of the 1992 Cable Act, our 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 our 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.

Central Indiana Communications, Inc., agrees that these exclusive programming contracts run counter to the intent of the 1992 Cable Act. I believe that the Act prohibits any arrangement that

P.O. BOX 87, MAXWELL, IN 46154, ~~(317) 462-4117 (NRTC)~~ (317) 326-3131 (HRTC)

1-800-876-4232

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July 23, 1994  
The Honorable Reed Hundt, Chairman  
Page 2

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.

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.

Yours truly,

  
Dan O'Connor  
President

DO'C/sdt

cc: Congressman Lee Hamilton  
Congressman Philip Sharp  
Congresswoman Jill Long  
Congressman John Myers  
Senator Richard Lugar  
Senator Dan Coats

# ClearVision, Inc.

1013 Annandale Drive  
Madison, MS 39110  
601-773-4440 / 601-853-9576

July 27, 1994

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

JUL 27 1994

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Dear Chairman Hundt:

My name is Glenn Hughes and I am President of ClearVision, Inc. We are affiliated with the National Rural Telecommunications Cooperative (NRTC) in the DIRECTTV project delivering programming to rural customers who are largely not served by cable. We own programming rights for the new Digital Satellite System in eight counties in Central Mississippi. I am writing this letter in support of the comments of the 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.

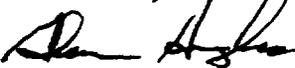
Many of our consumers live in rural areas that cannot receive cable TV. They need to be able to receive all programming available. As a distributor of DBS satellite television programming, equal access to cable and broadcast programming at fair rates is essential for ClearVision to be competitive in our local marketplace. We thought Congress had already solved this problem two years ago with the passage of the 1992 Cable Act.

ClearVision does not currently 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 the United States Satellite Broadcasting Co. Inc. (USSB). These practices hurt rural customers and thwart the effective competition required by Section 19 of the Cable Act. DIRECTTV has no exclusive programming contracts and USSB could offer our programming services if it wished to do so.

I agree with the NRTC's position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. I would also greatly appreciate your assistance on behalf of rural consumers in Mississippi in encouraging the FCC to correct this inequity.

Sincerely,

ClearVision, Inc.



Glenn Hughes  
President

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0



P.O. BOX 126  
CLARKS, NE 68628  
(308) 548-2251

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

RECEIVED July 27, 1994

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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, DX Docket No. 94-48.

As a rural telephone member, and affiliate, of NRTC and distributor of the DIRECTV direct broadcast satellite (DBS) television service, Clarks Telephone is directly involved in bringing satellite television to rural consumers.

However, despite passage of the 1992 Cable Act, Clarks Telephone'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 TimeWarner/Viacom product, that subscriber must purchase a second subscription to the USSB service. This hinders

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**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.**

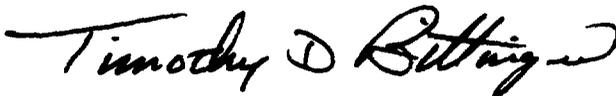
**Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against other sources for television in my area. When we have been showing the satellite television people are questioning why they are not able to get HBO or Showtime when it is movie channels that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



# Clark Electric Cooperative

124 North Main Street  
Greenwood, Wisconsin 54437  
Telephone (715) 267-6188

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JUL 28 1994

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FCC MAIL ROOM

William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Rm. 222  
Washington, DC 20554

Dear Secretary Caton:

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.

Our Cooperative is a distributor of DIRECTV direct broadcast (DBS) television service to a primarily rural area of northwestern Wisconsin. We are also a member of NRTC.

We feel we are being put at a definite disadvantage because of the way United States Satellite Broadcasting Co. (USSB) and Time Warner/ Viacom are restricting our access to many channels by using an exclusive contract. All contracts signed by DIRECTV are non-restrictive and available to USSB at any time. It appears that their attempt to eliminate fair access to these channels will force people to pay higher prices than if the free market were allowed to operate. It appears to us that this counter to the intent of the 1992 Cable Act. This exclusive contract also makes it more difficult for us to market our total package against other types of satellite & cable systems in the area.

We ask that you work diligently to rectify this injustice and disallow USSB and Time Warner/ Viacom from restricting access to channels such as HBO, Showtime etc.

Thank you for your consideration in this matter.

Sincerely,

Richard M. Adler  
General Manager.

cc:  
Honorable Senator Herb Kohl  
Honorable Senator Russell Feingold  
Honorable Representative David R Obey  
Honorable Representative Steve Gunderson

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DOCKET FILE COPY ORIGINAL

## Coleman County Broadcasting Systems

801 South Santa Fe

P. O. Box 910

Santa Anna, Texas 76878

915-348-3951

July 18, 1994

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

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JUL 26 1994

FCC MAIL ROOM

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 distributor of the 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 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 State 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.

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Page Two  
Cable Competition Report  
CS Docket No. 94-48

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.

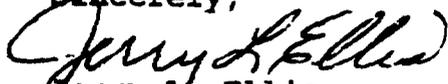
Not having access to the Time Warner/Viacom series has also adversely affected my ability to compete against other sources for television in my area. The first question our customers ask looking over our program list is, we can get HBO & Showtime can't we. We have to tell them No, not from us. This is really upsetting to them and make them want to think it over a little more, because they really wanted HBO.

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 area. 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,

  
Jerry L. Ellis  
Manager

cc:

The Hon. Representative Charles Stenholm  
The Hon. Senator Phil Gramm  
The Hon. Senator Kay Bailey Hutchison  
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 25, 1994

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FEDERAL COMMUNICATIONS COMMISSION

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

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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.

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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.

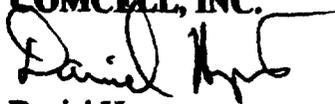
Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against other sources for television in my area. We have numerous potential customers who do not understand why Comcell, Inc. cannot provide them with the opportunity to choose HBO/Showtime or MTV from us.

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.

Sincerely,

**COMCELL, INC.**



Daniel Humpert

cc: The Hon. Representative Bill Sarpalius  
The Hon. Senator Kay Bailey Hutchison  
The Hon. Senator Phil Gramm  
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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FCC MAIL ROOM

P.O. Box 40

Cowiche, Washington 98923

Phone: (509) 678-4111

Fax: (509) 678-5100

July 20, 1994

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

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

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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-cable rural areas. Under the present circumstance, if one of my DIRECTV subscribers also

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**The Honorable Reed Hundt  
July 20, 1994  
Page 2**

**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.**

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**We ask the FCC to remedy these problems so that the effective competition requirements of Section 19 become a reality in 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,**

**COWICHE TELEPHONE COMPANY**

**Tony Pottratz  
President**

**cc:  
William F Caton, Secretary  
The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness**

**TP:ls**