

Honorable Reed Hundt

July 25, 1994

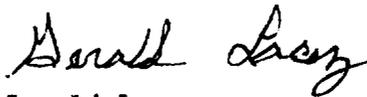
page 2

If these services were provided by both Direct TV and USSB the consumer would be able to choose their service provider, resulting in effective competition, lower prices and improved service.

None of the contracts we have signed with Direct TV are exclusive, therefore USSB could offer the service if they choose to. 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.

We request that you monitor and disallow the type of exclusionary arrangements represented by the USSB/Time Warner/Viacom deal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald Lacey".

Gerald Lacey,
General Manager

sd

Ganado Telephone Company, Inc.

Monday, July 20th, 1994

William F. Caton
Secretary
Federal Communications Commission
1919 M St., NW, Rm. 822
Washington, DC 20554

RECEIVED
JUL 26 1994
FCC MAIL ROOM

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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 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 company has been providing local telephone service for over 40 years. We have also aligned ourselves with the NRTC to be a distributor of the DIRECTV™ direct broadcast satellite (DBS) television service. Our company is directly involved in bringing satellite television to rural customers.

After the passage of the 1992 Cable Act, we thought we would be on a level playing field with all video service providers to secure programming our customers asked for. Lately, our ability to compete in our own local marketplace is being hampered by our lack of access to programming owned by Time Warner and Viacom.

These programmers have selected to make their programming available to *only* our principal competitor, the United States Satellite Broadcasting Company (USSB) as the result of an "exclusive" contract signed between USSB and Time Warner Viacom. This means that in order for a customer to have access to services such as HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon and others, they *must* deal with USSB.

When DIRECTV™ pursued programming contracts, we signed no contracts that were exclusive in nature, leaving USSB free to obtain distribution rights for any of the channels available on DIRECTV.

Mr. Caton, our company agrees with the NRTC that these exclusive contracts are

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not at all what the 1992 Cable Act intended, and in our opinion are quite the contrary. I believe that the Act prohibits any arrangement that prevents any distributor from gaining access to programming to serve non-cabled areas. In order for any of our customers to gain access to premium movie services, they must purchase a second subscription to the USSB service. This not only hinders effective competition, but also keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases customer confusion at the retail level.

The lack of the Time Warner/Viacom channels has also hurt our ability to compete against a brand new wireless television broadcaster in our area. Upon learning that I can not offer HBO or Showtime for example, many customers have opted to purchase older technology with a fewer number of channels but a more "complete" programming package. These folks just don't understand why I can't make these channels available to them, and honestly, neither can I.

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 non-cabled areas. That is why we supported the Tauzin Amendment, embodied in Section 19 of the Act.

We are asking the FCC to remedy these problems and put us on even ground with other programming distributors. Only then, we believe, the effective competition requirements of Section 19 can 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 the matter.

Sincerely,

Bill Rakowitz

**Bill Rakowitz
Assistant Manager
Ganado Telephone Company**

cc: **The Hon. Representative Greg Laughlin
The Hon. Senator Phil Gramm
The Hon. Senator Kay Bailey Hutchinson
The Hon. Reed Hundt
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong
William F. Caton, Secretary**

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HARRISONVILLE TELEPHONE COMPANY

213 S Main St • PO Box 149
Waterloo, IL 62296-0149

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618-939-8102
Fax 618-939-3399

**H.R. GENTSCH
PRESIDENT AND
CHIEF EXECUTIVE OFFICER**

July 22, 1994

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

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JUL 28 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.

We are a small independent telephone company located in southern Illinois and, as a member of NRTC, are participating in the DIRECTV project of delivering television programming to customers who are largely outside of the area served by cable TV companies. In order for us to compete in our local marketplace, we need a "Level Playing Field" that guarantees complete access to all programming at fair rates, comparable to those paid by our competitors.

We currently do not have DBS distribution rights to Time Warner and Viacom programming, like HBO, Showtime, Cinemas, The Movie Channel, VH-1, MTV, Nickelodeon, etc., because of the distribution arrangements made with United States Satellite Broadcasting Co., Inc. (USSB).

We were of the opinion that Congress had previously solved this problem when the 1992 Cable Act was passed. It is difficult to understand why other distributors, such as PrimeStar have access to HBO and Showtime, while we are unable to deliver these packages to our customer base.

If we, as a distributor of DIRECTV, were allowed to provide these services, consumers would be able to choose their service providers resulting in effective competition.

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We strongly agree with the NRTC position that the FCC should act to enforce the wishes of Congress as put forth in the 1992 Cable Act. We urge you to prohibit this type of exclusionary arrangements represented by the USSB/Time Warner/ Viacom deal.

We appreciate your consideration to our request.

Sincerely,

H. P. Guntach

cc: **U. S. Senator Paul Simon**
U. S. Senator Carol Mosley-Braun
U. S. Representative Jerry Costello
U. S. Representative Dennis Hastert
U. S. Representative W. J. (Billy) Tauzin

William 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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221 E. HICKORY ST. P.O. BOX 3248 MANKATO, MN 56001-3248 PHONE (507) 387-3355 1 800 326 5789 FAX (507) 625-9191

July 27, 1994

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

AUG 01 1994

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Dear Chairman Hundt:

This letter is a call for common sense to prevail over favoritism 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.

An exclusive deal has been struck among United States Satellite Broadcasting Co., Inc. (USSB), Time Warner and Viacom programming. We are a member of the National Rural Telecommunications Cooperative (NRTC) and our customers are in rural Minnesota. The programming we offer, through the NRTC, is not exclusive. USSB could contract with any or all of the programmers we offer, but we can't offer theirs. Where is the common sense in that decision? Where is the level playing field? We welcome the competition offered by USSB, but only if we are able to price competitively.

We do not understand why PrimeStar, wireless, and cable have access to HBO and Showtime and we do not. We want to be able to offer our rural customers the same services that their urban neighbors have at comparable prices.

The FCC should be true to Congress's intent as put forth in the 1992 Cable Act. Please do not allow the exclusionary tactics as demonstrated in the USSB/Time Warner/Viacom deal.

Sincerely,

Jane L. Rush
Director of Public Affairs

JLR:ALJ

cc: The Hon. Representative Tim Penny
The Hon. Representative David Minge
The Hon. Senator Paul Wellstone
The Hon. Senator David Durenberger
William F. Canton, Secretary
The Hon. James Quello
The Hon. Rachelle Chong
The Hon. Andrew Barrett
The Hon. Susan Ness

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HOOSIER TELCOM, INC.

SUBSIDIARY OF SOUTHEASTERN INDIANA RURAL TELEPHONE

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July 19, 1994

JUL 22 1994

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FCC MAIL ROOM

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 telephone member of NRTC and distributor of the DIRECTV/Direct Broadcast Satellite (DBS) television service for the "uncabled homes" in six surrounding counties and for all homes in another local county here in Southeastern Indiana, my company is directly involved in bringing affordable satellite television to rural consumers that have been "passed over" by the cable companies and can't afford the more expensive C-Band or "Big Dish" systems.

Yet, despite passage of the 1992 Cable Act, my company's ability to compete and offer comparable services to those of the cable companies and C-Band Satellite dealers in the local marketplace is being hampered by our lack of access to programming owned by Time Warner and Viacom.

This programming, which includes cable network favorites like HBO, Showtime, Cinemax, The Movie Channel, Nickelodeon and others, is available only to my principal competitor, the United States Satellite Broadcasting Company (USSB), as the 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.

14005 U.S. 50 - P. O. BOX 7
DILLSBORO, IN 47018
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(800-DBS-DISH)
FAX: (812) 667-4700

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Page 2
CABLE COMPETITION REPORT
July 19, 1994

Mr. Hundt, my organization agrees with the NRTC that these "exclusive" programming contracts run counter to the intent of the 1992 Cable Act and that the Act prohibits any arrangement that prevents any distributor from gaining access to programming to serve non-cabled rural areas. Under the present situation, if one of my customers wants to have access to a Time Warner/Viacom product, that subscriber must purchase a completely different "programming package/subscription". Not only does this hinder competition, but as a consequence, it keeps the price of the Time Warner/Viacom channels unnecessarily high, increases consumer confusion at the retail level and limits the opportunity for "rural" consumers to enjoy the same types of cable programming as consumers lucky enough to have access to cable.

Not having access to the Time Warner/Viacom services has already adversely affected my ability to compete against both the cable companies and C-Band Dealers in my area. During the past two weeks while we were displaying our product at two area county fairs, one of the first questions asked by potential customers almost always was, "Do you have HBO?" "Where's Showtime?" or "My kids really love Nickelodeon, why don't you have it?" Not only are these types of questions hard to explain to the average consumer who doesn't know the way satellite programming and the business in general operates, but it paints a picture that our service is "inferior" or we're "not as good" a company as the local cable company or satellite dealer because we can't offer one or two of their favorite channels.

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 and give rural Americans everywhere, access to affordable cable programming.

Thank you for your time and consideration in this matter.

Sincerely,



Leroy Corya
General Manager

Page 3
CABLE COMPETITION REPORT
July 19, 1994

cc: **William F. Caton**
Secretary
Federal Communciatons Commission

The Honorable James H. Quello
Commissioner
Federal Communications Commission

The Honorable Rachelle B. Chong
Commissioner
Federal Communications Commission

The Honorable Andrew C. Barrett
Commissioner
Federal Communications Commission

The Honorable Susan Ness
Commissioner
Federal Communications Commission



HUMBOLDT COUNTY RURAL ELECTRIC COOPERATIVE

1210 THIRTEENTH STREET NORTH

HUMBOLDT, IOWA 50548

515-332-1816

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FAX COVER SHEET

SENDING TO: Federal Communications Commission FAX # 1-202-632-0163

ATTENTION: Chairman Reed Hundt

FROM: Humboldt County Rural Electric Cooperative; Dennis Fuller, Manager

DATE: July 28, 1994

NUMBER OF PAGES FAXED INCLUDING THIS COVER SHEET: 5



HUMBOLDT COUNTY RURAL ELECTRIC COOPERATIVE

HUMBOLDT, IOWA 50548

515-332-1818

July 28, 1994

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

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JUL 29 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 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 and distributor of the DIRECTV™ direct broadcast satellite (DBS) television service, our cooperative is directly involved in bringing satellite television to rural consumers.

However, despite passage of the 1992 Cable Act, our cooperative'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™.

Mr. Hundt, our cooperative 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 our DIRECTV subscribers also wishes to receive a 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 our ability to compete against other sources for television in our area.

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The Honorable Reed Hundt, Chairman
Federal Communications Commission
Page 2
July 28, 1994

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,

Dennis Fuller

Dennis Fuller
Manager

cc: The Honorable Senator Charles Grassley
The Honorable Senator Tom Harkin



HUMBOLDT COUNTY RURAL ELECTRIC COOPERATIVE

HUMBOLDT, IOWA 50548

515-332-1616

July 28, 1994

The Honorable Senator Charles Grassley
United States Senate
Washington, D.C. 20510

Dear Senator Grassley:

I am writing this letter to voice a concern I have regarding the implementation and enforcement of Section 19 of the 1992 Cable Act by the Federal Communications Commission.

As a distributor of DBS and C-band satellite television programming, equal access to cable and broadcast programming at fair rates—something which we are not currently receiving—is essential for Humboldt County Rural Electric Cooperative to be competitive in our local marketplace.

The attached letters to FCC Chairman Reed Hundt and Senator Tom Harkin, spell out our concerns on this issue.

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, satellite distributors and consumers continue to be treated unfairly by the cable industry.

Some programmers continue to charge unfairly high rates for satellite distributors compared with cable rates. Other programmers—like Time Warner and Viacom—have simply refused to sell programming to some distributors. These exclusive practices hurt rural consumers and thwart the effective competition required by Section 19 of the Cable Act.

I would greatly appreciate your assistance on behalf of rural consumers in Iowa in encouraging the FCC to correct this inequity.

Sincerely,
Dennis Fuller
Dennis Fuller
Manager

cc: The Honorable Senator Tom Harkin
The Honorable Reed Hundt



HUMBOLDT COUNTY RURAL ELECTRIC COOPERATIVE

HUMBOLDT, IOWA 50548

515-932-1616

July 28, 1994

The Honorable Senator Tom Harkin
United States Senate
Washington, D.C. 20510

Dear Senator Harkin:

I am writing this letter to voice a concern I have regarding the implementation and enforcement of Section 19 of the 1992 Cable Act by the Federal Communications Commission.

As a distributor of DBS and C-band satellite television programming, equal access to cable and broadcast programming at fair rates—something which we are not currently receiving—is essential for Humboldt County Rural Electric Cooperative to be competitive in our local marketplace.

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Some programmers continue to charge unfairly high rates for satellite distributors compared with cable rates. Other programmers—like Time Warner and Viacom—have simply refused to sell programming to some distributors. These exclusive practices hurt rural consumers and thwart the effective competition required by Section 19 of the Cable Act.

I would greatly appreciate your assistance on behalf of rural consumers in Iowa in encouraging the FCC to correct this inequity.

Sincerely,
Dennis Fuller
Dennis Fuller
Manager

cc: The Honorable Senator Charles Grassley
The Honorable Reed Hundt



554 SE Washington / Box 3737
Bartlesville, OK 74006

(918) 335-2646 / 1-800-778-8776

DirectTV® Distributor
Sales & Service

August 1, 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 04 1994

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

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 and affiliate of NRTC and distributor of the DIRECTVtm 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 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 DIRECTVtm are exclusive in nature, and USSB is free to obtain distribution rights for any of the channels available on DIRECTV.

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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-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.

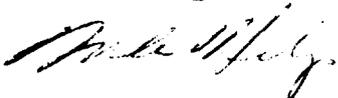
Not having access to the Time Warner/Viacom services has also adversely affected my ability to compete against other sources for television in my area. Consumers have told our staff "If you can't get HBO, I don't want it." But many more have shown great displeasure at receiving monthly bills from multiple programmers.

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,



Mike Hulings

cc:

The Hon. Representative Ernest Istook
The Hon. Senator David Boren
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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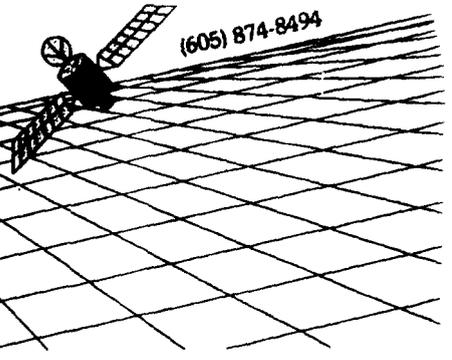
AUG 04 1994

FCC MAIL ROOM



Interstate Satellite Services, Inc.
 305 3rd Ave. S. - P. O. Box 1008
 Clear Lake, South Dakota 57226-1008

(605) 874-8494



July 20, 1994

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JUL 26 1994

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

FCC MAIL ROOM

Dear Chairman Hundt:

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I am writing this letter to confirm my 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.

I have a vested interest in this docket as I am the General Manager of a telephone cooperative that formed a wholly owned subsidiary for the purpose of providing DIRECTV to rural residents in eastern South Dakota and western Minnesota. These rural customers do not and will not have access to cable TV plus their current off-air reception using roof-top antenna's varies from very poor to somewhat adequate. Even though the offerings we will be able to provide far surpass what these households currently receive, we, as yet, cannot provide these households with the same programming that their relatives and friends can obtain just because they live in a nearby community that has cable TV. This fact of life exists because we do not have access to all of the programmers the cable TV companies do. These folks simply want the same opportunity and you and the Commissioners can and must provide this.

The have-nots cannot receive the Time Warner and Viacom programming, like HBO, Showtime, Cinemax, The Movie Channel, and other similar type programming because of the "exclusive" distribution arrangements that were made with United States Satellite Broadcasting Co., Inc. (USSB). It is unbelievable these rural households can finally have high quality TV programming delivered to their house at an affordable price and then they are excluded from many choices because of exclusivity. Can you imagine waiting 15-20 years for TV programming like their small town acquaintances have and then be denied full selectivity!

I have been told that none of the DIRECTV programming contracts are exclusive contracts and they shouldn't be. Likewise, USSB

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should not be able to have exclusive programming rights. I ask you to examine this problem as soon as possible, take whatever action is necessary to correct the problem, and let's get on with providing rural folks the maximum choices available. Anything less is unacceptable.

Sincerely,

Dean E. Anderson
General Manager

cc: ✓ Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M St., NW, Room 222
Washington, DC 20554

The Honorable James H. Quello
Commissioner
Federal Communications Commission
1919 M St., NW, Room 802
Washington, DC 20554

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

The Honorable Susan Ness
Federal Communications Commission
1919 M St., NW, Room 832
Washington, DC 20554

The Honorable Rachelle B Chong
Commissioner
Federal Communications Commission
1919 M St., NW, Room 844
Washington, DC 20554



Iowa Lakes Electric Cooperative

1724 Central Avenue
Estherville, Iowa 51334-0077
(712) 362-2694

Address Reply to: P. O. Box 77, Estherville, IA 51334-0077

J. Bruce Bosworth
General Manager

July 29, 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

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AUG 01 1994
FEDERAL COMM

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.

Iowa Lakes Electric Cooperative (ILEC) is a rural electric cooperative member of NRTC and a distributor of the DIRECTV direct broadcast satellite (DBS) television service. Iowa Lakes has been directly involved in bringing satellite television to rural consumers in eight rural Northwest Iowa counties since September 1987.

ILEC is very concerned that despite passage of the 1992 Cable Act, our 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 a so called "exclusive" contract signed between USSB and Time Warner/Viacom. On the other hand, 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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page Two

Mr. Hundt, ILEC agrees with the NRTC that these exclusive programming contracts run counter to the clear intent of the 1992 Cable Act. We 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 the USSB service.

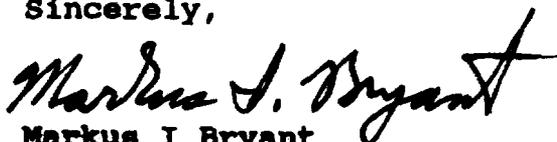
We believe this "exclusive" contract arrangement between USSB and Time Warner/Viacom has been designed to hinder effective competition, and as a consequence keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases consumer confusion at the retail level over the availability of HBO, MTV, etc., since there is no reason we can not offer these programs other than this "exclusive" contract arrangement. We currently offer them under a C-Band satellite package marketed as "Rural TV", but are prohibited from doing so as a part of our DIRECTV package.

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

ILEC is asking the FCC to remedy these problems so that the effective competition requirements of Section 19 become a reality in rural America. ILEC strongly urges 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,



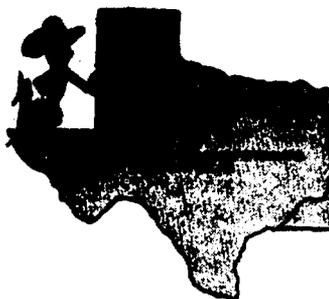
Markus I Bryant
Assistant General Manager

cc:

The Honorable Representative Fred Grandy
The Honorable Senator Charles Grassley
The Honorable Senator Tom Harkin
William F Caton, Secretary
The Honorable James H Quello
The Honorable Andrew C Barrett
The Honorable Susan Ness
The Honorable Rachelle B Chong

Original letter to follow

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JACKSON ELECTRIC COOPERATIVE, INC.
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July 18, 1994

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

DOCKET FILE COPY ORIGINAL

Re: In support of Comments of the National Rural Telecommunications Cooperative, in the Matter of the Implementation of Section 19, 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.

Dear Chairman Hundt:

Jackson Electric Cooperative, Inc., a member of NRTC, is deeply committed to the delivery of television programming to our rural customers. Many of our customers have no access to cable television; the only option available has been satellite service.

In order for us to provide quality programming to this largely unserved market at fair and competitive rates, we need complete access to all programming at equitable rates. This is necessary to allow us to compete in our local marketplace.

We understand that this has previously been addressed with the passage of the 1992 Cable Act; however, we do not currently have DBS distribution rights for Time Warner and Viacom programming (such as HBO, Showtime, Cinemax, The Movie Channel, VH-1, MTV, Nickelodeon, etc.) due to exclusive distribution arrangements made with United States Satellite Broadcasting Co. Inc. (USSB). Our market is hungry for television service; nevertheless, our rural customers want access to the same programming as their metropolitan neighbors. This impacts our ability to compete in our local area. To receive Time Warner and Viacom programming, our customers must now subscribe to two separate, competing packages due to the USSB-exclusive distribution arrangement. Why should other distributors (such as PrimeStar) have access to this programming, and we do not? If both DIRECTV and USSB offered these services, customers would have a choice of service providers, resulting in both lower prices and improved service. DIRECTV's programming contracts are not exclusive; USSB could offer

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Jackson Electric Cooperative, Inc.

July 18, 1994

Page Two

these services if it chose to do so.

Please assist us in this matter. We feel strongly that the FCC should enforce the wishes of Congress as expressed in the 1992 Cable Act. We ask that you monitor and address the problems being brought to your attention by banishing the type of exclusive arrangements represented by the USSB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

Yours truly,

Lina Hill 
DBS Business Manager, JEC-TV
Jackson Electric Cooperative, Inc.

cc: ✓ Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M St., NW, Rm 222
Washington, D.C. 20554

The Honorable Rachelle B. Chong
Commissioner
Federal Communications Commission
1919 M St., NW, Rm. 844
Washington, D.C. 20554

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M St., NW, Rm. 832
Washington, D.C. 20554

The Honorable James H. Quello
Commissioner
Federal Communications Commission
1919 M St., NW, Re. 802
Washington, D.C. 20554

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

JADE Direct Broadcast Services, Inc.
211 La Veta
Alamosa, Colorado 81101
719-589-0255
FAX 719-589-5977

July 18, 1994

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

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JUL 22 1994

FCC MAIL ROOM

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

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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.

As a rural telephone member of NRTC and distributor of the DIRECTV (TM) direct broadcast satellite (DBS) television service, my company is directly involved in bringing satellite television to rural consumers. In our part of the country, there are many households that go unserved by cable TV. There only means of any quality signals is via satellite.

Despite passage of the 1992 Cable Act, our ability to compete in our local marketplace is being hampered by our lack of access to programming owned by Time Warner and Viacom. I am not able to understand why PrimeStar and other distributors have access to this programming and yet we do not.

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 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. 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. 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.

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Sincerely,
David Wehe
David Wehe

21 July 1994

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

AUG 01 1994

RE: Implementation of Section 19 of the
Cable Television Consumer Protection
and Competition Act of 1992
CS Docket No. 94-48

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Dear Chairman Hundt:

I have recently read and fully support the Comments of the National Rural Telecommunications Cooperative (NRTC) submitted to the FCC on 29 June 1994, regarding the implementation of Section 19 of the 1992 Cable Act.

I am an investor in a small business which is affiliated with the NRTC and DIRECTV to provide Direct Broadcast Satellite (DBS) programming. Many of the customers we serve live in rural areas that do not have cable TV. When I was initially evaluating entry into the DIRECTV project, I was encouraged by provisions of the 1992 Cable Act which appeared to finally provide rural households the opportunity to receive competitively priced cable TV programming. However, as stated in the NRTC's comments to the FCC, certain exclusive distribution arrangements still remain, such as those between Time Warner/Viacom and United States Satellite Broadcasting (USSB) for HBO, Showtime, The Movie Channel, etc.

In our initial marketing effort for DIRECTV, we have found it difficult to explain to our customers why we cannot offer certain cable TV programming in our package. Our customers are unhappy that they must purchase two separate programming packages, at significantly more expense, to receive a full complement of programs that are usually provided on cable TV.

I hope you will carefully review the NRTC's comments regarding this issue and take the recommended steps to eliminate the remaining exclusive programming arrangements which currently exist. With your help, rural

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America could soon be enjoying competitively priced cable TV programming similar to the cabled areas of the nation.

My customers and I thank you for your consideration in this matter.

Sincerely,



**Judy S. Davison
2366 Danbury Drive
Colleyville, Texas 76034**

C:

**The Hon. Representative Dick Arney
The Hon. Representative Joe L. Barton
The Hon. Representative Ralph Hall
The Hon. Representative James Hansen
The Hon. Representative Sam Johnson
The Hon. Representative Bill Orton
The Hon. Representative Karen Shepherd
The Hon. Senator Robert F. Bennett
The Hon. Senator Phil Gramm
The Hon. Senator Orrin G. Hatch
The Hon. Senator Kay Bailey Hutchison
William F. Caton, Secretary
The Hon. Andrew C. Barrett
The Hon. Rachelle B. Chong
The Hon. Susan Nees
The Hon. James H. Quello**