



DOCKET FILE COPY ORIGINAL

March 1, 1996

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

RECEIVED

MAR - 1 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

RE: In the Matter of:
Sixth Order on Reconsideration
and Fifth Report and Order on
the Cable Television Consumer
Protection and Competition Act of 1992

MM Docket 92-266
MM Docket 93-215
FCC 94-286

To Secretary Caton:

Asiavision, Inc., with stations WIAV-LP TV58, WRAV-LP TV8, W34BS, K12OJ, respectfully submits comments to be entered in the record in the matter stated above.

Asiavision, Inc., concurs with the Petition for Reconsideration by Engle Broadcasting. This petition correctly describes the predicament faced by many LPTV owners and operators. As the only Asian-Pacific American broadcaster in the Washington, DC ADI, and as a community television service provider to urban, suburban and minority populations it is increasingly difficult to remain viable without cable carriage for WIAV-LP TV58.

As argued by Engle Broadcasting in paragraph two of page one of the petition, the Commission has the opportunity to act in the convenience, necessity and the public interest by fulfilling the Congressional mandate as set forth in the Cable Act to accommodate a Federally licenced service, namely, LPTV.

No. of Copies rec'd 0
List ABCDE

Area cable systems have increased their channel capability. Meanwhile these same cable systems maintain there is no available space for WIAV-LP. Upon request for meetings with cable systems, cable operators cited must carry regulations as their minimum guidelines, thus eliminating Asiavision from consideration. Under the must carry regulations, Asiavision would not qualify for cable carriage because of market size. The discriminatory nature of allowing cable systems to add cable programming services while preventing the carriage of broadcasters through the current configuration of must carry regulations contradicts the purpose of establishing the LPTV service by the Commission. This is correctly argued in Engle's petition in paragraph two of page two. This example illustrates the disincentive for cable systems to carry a local LPTV serving community interests. Furthermore, as mentioned by Engle in paragraph two of page three, the Senate version of the Cable Act granted must carry to LPTV.

In paragraph one of page four of the petition Engle has submitted that economically disadvantaged people do not enjoy the diversity of programming that cable television offers and rely upon LPTV stations as a source community service. Asiavision, WIAV-LP, would further submit that ethnic minority communities are also under represented without the addition of LPTV to area cable systems.

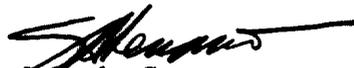
The methodology, as presented by Engle Broadcasting in paragraph one of page three, provides an incentive to carry LPTV. However, it may require an additional provision to prevent alienation of existing cable carriage agreements of LPTV stations in markets such as Washington, DC. with multiple LPTV stations. An additional stipulation should allow for existing LPTV stations on cable systems to remain under previous agreements without realignment to one of seven additional channels that are added to basic tier service. This would allow more local, ethnic and diverse programming to serve the public.

Asiavision, Inc. urges the commission to adopt a procedure which, as submitted by Engle Broadcasting, would better serve the public interest by providing local broadcasters viable means to continue to serve those under represented populations within its license area.

Sincerely,



Ramon Korionoff
Marketing Manager



Salvador Serrano
Vice President

cc: Ms. Nancy Stevenson
Cable Services Bureau