



1649 11th Street Santa Monica, CA 90404 Phone: (310) 452-8899 Fax: (310) 452-0736

September 29, 2014

Chairman Tom Wheeler
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: Petition for Rulemaking to Amend the Commission's Rules Governing the Practices of Video Programming Vendors – RM-11728

Dear Chairman Wheeler:

I write in regards to Mediacom's Petition for Rulemaking seeking Commission attention to and action addressing certain practices that are undermining competition and diversity in the video marketplace.

I am independent programmer, and innovator whose goal is to develop programming aimed at an important subset of the audience.

I am founder and Chairman of Blackbelt TV. We carry martial arts sports and entertainment programming. Martial arts is the fastest growing sport in the world.

We are in 67 countries. That's the good news.

Not one of them is the United States. That's the bad news.

The reason we can reach audiences around the world, but not in the United States is because in this country it is all but impossible for independent networks, like mine, to get carriage in the face of the anticompetitive practices of the large established programmers, particularly those affiliated with broadcast networks or "marquee" cable networks. Several examples of these anticompetitive practices are laid out in Mediacom's Petition, but one that has gotten dramatically worse in recent years is the practice of bundling by the largest media companies – forcing cable operators to accept an "all or nothing" ultimatum to take a bundle of networks, including ones neither the operator nor their customer want, in order to get access to one or two of the popular channels they do want. This practice of bundling impedes competition, erodes the MVPDs' channel capacity and programming budgets, thwarts the cable operators' ability to program their channel line-

ups according to what their viewers would like to see, robs the consumer of choice, and is contrary to the FCC's public interest goals of promoting diversity and independent voices on television. Pending litigation also suggests that it may be unlawful under the antitrust laws. This is why I am weighing in on this proceeding.

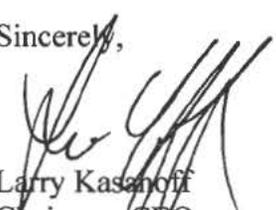
Bundling has gotten untenable. It happens now as a matter of course. Our sales team hears repeatedly from cable operators that they are interested in launching Blackbelt TV, but cannot at this time because of bundling demands of the larger programmers. Operators are reluctant to commit to launch a new service offered by an independent programmer when they have renewals coming up with programmers known to demand carriage of ever-increasing bundles at ever-increasing prices based not on the merit or value of the channels that the operator is being forced to take, but on the leverage given the programmer by tying carriage of a few popular networks to carriage of the bundle.

Consequently, Blackbelt TV repeatedly hears, "Sorry, no room left at the Inn. Try again next year." Only to go through the same cycle.

Thus I write to urge the FCC to take a hard look at this issue. While I do not support Mediacom's specific proposals, such as mandatory a la carte, there are other ways of addressing the wholesale bundling abuses of the large programmers that I would be happy to discuss with you. One such solution would be a rule requiring a set aside of 5-10 channels, or a 3-5 percent of the channel line-up, for independent programmers, true independents, without ownership and control or board member control of the big media companies.

In conclusion, Congress has empowered the FCC to protect the public interest by promoting competition, and fostering diversity and innovation. If the FCC stands on the sidelines in a battle between consumers and independent programmers on one side and some of the largest media companies in the world on the other, that, as we say on Blackbelt TV, is really an unfair fight.

Sincerely,



Larry Kasanoff
Chairman/CEO

cc: Commissioner Clyburn
Commissioner Rosenworcel
Commissioner O'Rielly
Commissioner Pai
William Lake, Chief, Media Bureau