

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Sky Angel U.S., LLC
v.
Discovery Communications, LLC and
Animal Planet, L.L.C.
Interpretation of the Terms "Multichannel Video
Programming Distributor" and "Channel" as
Raised in Pending Program Access Complaint
Proceeding
MB Docket No. 12-80
File No. CSR-8605-P
MB Docket No. 12-83

ORDER

Adopted: December 19, 2014

Released: December 19, 2014

By the Chief, Media Bureau:

1. By this Order, we hold in abeyance the program access complaint and related pleadings filed in the above-captioned proceeding. This proceeding raises the threshold issue of whether certain Internet-based distributors of video programming fall within the definition of a "multichannel video programming distributor" ("MVPD") as defined in the Communications Act of 1934, as amended, and the public policy ramifications of this result. Today, the Commission has initiated a Notice of Proposed Rulemaking in MB Docket No. 14-261 that proposes to interpret the definition of MVPD to include entities that make available for purchase, by subscribers or customers, multiple linear streams of video programming. In light of the Commission's initiation of that proceeding and for reasons of administrative efficiency, we hold the Sky Angel program access complaint and related pleadings in abeyance pending the Commission's resolution of this issue, and close the docket of an associated Public Notice. We invite commenters to submit their comments regarding the scope of the definition of MVPD to MB Docket No. 14-261.

2. Accordingly, IT IS ORDERED that the Sky Angel Program Access Complaint and all pleadings related thereto, including Sky Angel's Discovery Requests, Sky Angel's Motion to Compel, Discovery's Discovery Requests, Sky Angel's Renewed Petition, and Sky Angel's Motion for Sanctions, ARE HELD IN ABEYANCE pending action by the Commission in MB Docket No. 14-261.

3. IT IS FURTHER ORDERED that the proceedings in MB Docket No. 12-83 ARE TERMINATED, and the docket is closed.

1 47 U.S.C. § 522(13).

2 See Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services, MB Docket No. 14-261, Notice of Proposed Rulemaking, FCC 14-210 (December 19, 2014).

3 See Media Bureau Seeks Comment on Interpretation of the Terms "Multichannel Video Programming Distributor" and "Channel" as Raised in Pending Program Access Complaint Proceeding, MB Docket No. 12-83, Public Notice, 27 FCC Rcd 3079 (MB 2012).

4. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's Rules.⁴

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

⁴ 47 C.F.R. § 0.283.