

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054**

In the Matter)
Promoting Innovation and Competition in the) MB Docket No 14-261
Provision of Multichannel Video Programming)
Distribution Services)

**COMMENTS OF THE
AMERICAN FOUNDATION FOR THE BLIND**

The American Foundation for the Blind (AFB) is pleased to offer these very brief reply comments in the above-captioned proceeding concerning possible expansion of the current definition of multichannel video programming distributors (MVPDs). We are pleased to see the Federal Communications Commission (Commission) wrestling with the obvious transformation of video programming delivery from a conventional cable and satellite environment to one in which the Internet is playing an indispensable role. The Commission's rules must keep pace with these developments in order to ensure fairness among industry players as well as the best possible consumer experience.

We support the Commission's express intent to expand the definition of MVPDs and urge the Commission to adopt a rule defining an MVPD as any programming distributor that has control over a transmission path. This definition will include providers that make multiple linear streams of video programming available for purchase, regardless of the technology used to distribute the programming.

Moreover, the Commission's adoption of such a rule will ensure that the Commission's regulations continue to cover participants in the video distribution industry as they change their services to Internet protocol delivery, and such a definition will also hold new web-based video programming services accountable for an array of existing legal expectations, thus leveling the regulatory playing field for both new and conventional video programming distributors.

Specifically, we welcome the application of the accessibility obligations delineated in the historic Twenty-First Century Communications and Video Accessibility Act (CVAA) to video programming distributors beyond conventional cable and satellite providers. Should the Commission, as we urge the Commission so to do, bring providers of Internet-based video programming within the scope of the Commission's MVPD rules, the Commission is absolutely required to apply all of the access obligations of the CVAA currently applicable to conventional cable and satellite providers to providers of Internet-based programming. The Commission does not have the option of selectively applying

AFB Comments cont.
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current Communications Act allowances and responsibilities to newly-defined MVPDs. If an Internet-based video programming provider is to be regarded as an MVPD, all of the expectations, including the CVAA's accessibility obligations, pertaining to today's MVPDs, attach to such Internet-based providers.

The commission's failure to apply the CVAA's accessibility obligations to any video programming provider brought in under any new MVPD definition would be an arbitrary abrogation of the unambiguous CVAA requirements on MVPDs, howsoever MVPDs are to be defined.

It will, however, be necessary for the Commission, once an expanded MVPD definition is adopted, to open rulemaking proceedings to ensure that the accessibility obligations of newly-defined MVPDs are carefully tailored to the specific technical and related exigencies of the Internet-based video programming environment. In particular, video description and emergency information pass-through requirements, to say nothing of the relationship between MVPDs and the accessibility of the navigation devices provided by such entities, will need to be consonant with, but intelligently differentiated from, the Commission's existing pass-through and navigation device accessibility rules. We look forward to engaging with the Commission in these important discussions.

Again, we appreciate the opportunity to offer our perspectives and look forward to working with the Commission to ensure that all people with disabilities can take part in the video programming revolution.