April 17, 2015

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Revisions to Cable Television Rate Regulations, MB Docket No. 02-144; Amendment to the Commission's Rules Concerning Effective Competition and Implementation of Section 111 of the STELA Reauthorization Act, MB Docket No. 15-53

Dear Ms. Dortch:

The National Association of Telecommunications Officers and Advisors (NATOA) strongly agrees with the letter submitted by the National Association of Broadcasters (NAB) and others urging the Commission "to take practical procedural steps to streamline the effective competition petition filing process for small cable operators as required by Section 111 of the STELA Reauthorization Act of 2014 (STELAR) rather than the sweeping changes proposed in the Commission's March 16, 2015, Notice of Proposed Rulemaking."[1] This position is consistent with comments filed by NATOA in the above-referenced proceedings.

Further, we concur that the effective competition petition process for small cable operators could be improved and generally support many of the streamlining proposals set forth in NAB's letter. However, we write separately to ensure the local government perspective on these proposals is properly before the Commission.

First, we agree that it may be appropriate to eliminate the need to demonstrate consumers' awareness of the availability of a competitive DBS offering. Doing so would eliminate the requirement of the cable operator to produce satellite marketing materials that appear to be unnecessary. Further, given the Commission's past rulings concluding in effect that adequate satellite reception is never an issue, the Commission might consider adopting a presumption concerning the availability of DBS in the affected local franchise area (LFA) unless the LFA objects. But in any event, NATOA strongly urges the Commission to retain the current 15 percent penetration criterion.

Second, we agree that the Commission must ensure that competitors timely respond to requests for information and use its enforcement authority to ensure compliance. Assuming that obtaining the necessary satellite penetration data can be a pricey and timely process for small cable operators, the

[1] Letter from the National Association of Broadcasters et al. to Marlene H. Dortch, Esq., Secretary, FCC, MB Docket Nos. 02-144 and 15-53 (filed April 16, 2015).

Commission might consider ways to limit the costs for such information and/or impose a timeframe within which to respond to such requests.

Third, while the suggestion of automatically granting unopposed petitions for effective competition once the time for filing oppositions has elapsed may seem reasonable, such a procedure would be inconsistent with the Commission's regulatory responsibilities to determine whether effective competition actually exists.

Fourth, we agree that the Commission should establish an internal timeframe within which to act on effective competition petitions. Cable operators and LFAs have both experienced long waits for the Commission to take action on these petitions. Perhaps, as suggested by NAB's letter, the Commission could establish an electronic filing system that could provide for a more cost effective and time efficient process.

NATOA stands ready to work cooperatively with industry and the Commission to improve the effective competition process that seeks to alleviate any unreasonable burdens on small cable operators, does not shift any burdens or imposes any unfunded mandates on local governments, and protects consumers.

Sincerely submitted,

Stephen Traylor
Executive Director/Legal Counsel
NATOA

cc: Bill Lake, Michelle Carey, Holly Saurer, Mary Beth Murphy, Steven Broeckaert, Diana Sokolow