



April 30, 2015

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

Dear Ms. Dortch:

Over the course of the last year, The Hispanic Institute had called for accessibility and affordability of the basic tier and video market reforms that account for the needs of Latino and Spanish-speaking television viewers. For that reason, we are writing today to support efforts, mandated by Congress, to streamline the effective competition filing process for small cable operators so they can better serve their customers and be on equal footing with larger cable companies. However, we are very concerned about the Commission's proposal to reverse the long-standing effective competition presumption. We believe this reversal will give cable companies more leverage as they interface with consumers and the local municipalities in which they do business. It is no secret that these companies are already under fire for questionable practices and arbitrary pricing, even from members of Congress.

The effective competition rule as it currently stands affords a critical consumer protection, particularly for lower-income and minority communities. More than half of all cable TV customers that subscribe to the basic tier exclusively make less than \$35,000 per year, more than half are over the age of 55, and more than 1/3 are minorities. By changing the presumption, the Commission would give cable providers the ability to manipulate their programming tiers so that consumers would be forced to pay for expensive cable programming before they can access local stations, weakening consumer's access to lifeline information. It could also lead to increases in the rental cost of cable TV equipment. With no local oversight of cable TV service, Latino consumers will have no recourse when their bills go up.

In communities where the Commission has determined effective competition does not exist, the current rules offer a backstop that helps ensure low rates for the basic tier of cable TV service. If the proposed rule is adopted, this protection will disappear and give cable providers complete reign over prices and services in those markets. These are clearly issues of affordability that put consumers on the losing side of the table, but there are equally important issues of accessibility.

Broadcast television plays an important role in minority and underserved communities, often providing public service announcements and important information such as where to vaccinate against the flu or when and how to register a child for school. For Spanish-speaking audiences in particular, local broadcasters and network personalities are trusted advisers and community advocates who champion issues important to the Latino community such as immigration or voter participation. This information and programming is what Latinos have come to expect from the basic tier and why we have fought for this access so passionately. It is also why we do not support the reversal of the effective competition presumption. It is a losing proposition for Latino consumers.

Large cable providers are not motivated by consumer interests. They are driven by their bottom line. Recognizing this dynamic, the FCC put in place the current system of checks and balances. Changes in the pay-TV industry such as rising cable bills, spotty service complaints, and record profits, only strengthens the call to preserve this balance.

Sincerely,

Gus K. West, President
The Hispanic Institute