United States Senate
WASHINGTON, DC 20510

April 21, 2015

375

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20536

The Honorable Eric Holder
Attorney General
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Chairman Wheeler and Attorney General Holder:

Comcast and Time Warner Cable (TWC) are reported to be meeting this week with the Department of Justice (DOJ) to respond to regulators' concerns about the proposed acquisition of TWC by Comcast. In advance of this meeting and as the Department of Justice and the Federal Communications Commission (FCC) finalize their respective evaluations, we write to urge the FCC and DOJ to reject Comcast's proposed acquisition of TWC. Today's world demands affordable access to high-quality Internet and TV services. Should the transaction survive the FCC's and DOJ's reviews, we believe that Comcast-TWC's unmatched power in the telecommunications industry would lead to higher prices, fewer choices, and poorer quality services for Americans – inhibiting U.S. consumers' ability to fully benefit from modern technologies and American businesses' capacity to innovate and compete on a global scale.

Since the proposal was announced last year, we have heard from consumers across the nation, as well as from advocacy groups, trade associations, and companies of all sizes, all of whom fear that the deal would harm competition across several different markets and would not serve the public interest. The concerns about the transaction center on the undeniable reality that the combined Comcast-TWC would be the overwhelmingly dominant cable and broadband Internet provider in the nation and control much of the programming that Americans watch. With 57 percent of the broadband Internet market and 30 percent of the cable market, Comcast-TWC would have an ability to defeat competing TV and Internet companies and stifle American innovation across the industry. And with Comcast's ownership of NBCUniversal and the numerous popular TV networks it controls, the combined company would have incentives and means by which to extract higher prices from other multichannel video programming distributors and prioritize its own programming over that of competitors. Comcast-TWC's monopsony power to dictate the terms of transactions with programmers will also force companies from across the country to reevaluate their business models, including the content they produce and the prices they charge.

We've also heard from constituents in our home states who are rightfully frustrated about their increasingly high cable and Internet bills and are concerned that the proposed acquisition will only drive those prices higher. Unfortunately, with only a handful of cable and Internet providers dominating the market, consumers are often left with little choice but to pay the price a given provider demands and have little say over what content is made available to them.

Comcast-TWC's combined ability to drive out competitors will only make things worse for consumers. Technological advances in the industry will be slowed, independent programmers and content will be foreclosed, and consumers will be left with even larger bills to pay. This is an industry that requires more competition, not less.

As the FCC and DOJ finalize their reviews of Comcast's proposed acquisition of TWC, we urge you to defend American competition and innovation and ensure that Americans have affordable access to high-quality telecommunications services. We hope you'll take a stand for U.S. consumers and businesses and reject Comcast's proposed acquisition of TWC. Thank you for your consideration.

Sincerely,

Al Franken
United States Senator

Bernard Sanders
United States Senator

Edward J. Markey
United States Senator

Ron Wyden
United States Senator

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator