

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

JAMES P. HOFFA
General President

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General Secretary-Treasurer

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February 8, 2016

Ms. Marlene Dortch, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Implementation of Section 103 of the STELA Reauthorization Act of 2014, Totality of Circumstances Test; MB Docket No. 15- 216

Dear Secretary Dortch,

On behalf of the 1.4 million members of the International Brotherhood of Teamsters, I am writing in support of our broadcast partners and their ability to negotiate retransmission consent agreements using the current “totality of circumstances test.” As you know, retransmission consent requires cable operators and other multichannel distributors to get permission from broadcasters before carrying programming. This allows broadcasters to negotiate fair market-based compensation for their signals, which then enables them to deliver free and locally focused news, programming, and services to communities around the country. The majority of retransmission consent agreements are negotiated successfully and without incident, showing that the “current totality of circumstances test” relating to the Federal Communications Commission’s *Good Faith Order* already works and does not need modification.

For years, cable companies were unwilling to compensate broadcasters for programming. Local broadcasters were carried on cable and satellite systems free of charge, even though pay-tv companies charged subscribers for this content. Today, local broadcast channels are the most watched programming on television and broadcasters now receive fair compensation for their significant investment in content.

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A change to the “totality of circumstances test” could negatively impact the compensation broadcasters receive for the content it produces which could then affect the Teamster members that produce feature films, television programs, and commercials.

Teamster Union members play integral roles in television and movie production and, therefore, have a stake in a broadcaster’s ability to monetize their investments through retransmission consent agreements. The FCC should not alter a system which has been working by interfering with the ability of broadcasters to negotiate these agreements. We urge you to protect the current “totality of circumstances test,” and, by extension, Teamster jobs. Thank you for your consideration.

Sincerely,



James P. Hoffa
General President