

March 14, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees; MB Docket No. 14-127

Dear Ms. Dortch:

In 2012, the Commission adopted rules requiring broadcast television stations to migrate their local public inspection files (typically kept in paper files) to a Commission-hosted online database.¹ The Commission created a single exception from the online file requirement: letters from the public to local broadcast stations would not have to be placed in the online database but would still be required to be kept at the local level.²

Earlier this year, the Commission expanded the online public file rules to cable operators and other entities.³ As in the broadcast context, however, there was a single category of information that cable operators were not obligated to place in the online database – the location of their physical headend – that would pose a security risk and bore little, if any, interest to the general public. Thus, in many cases, cable operators will need to maintain a local file that contains only this one piece of information.

In the *2016 Order*, the Commission committed to “initiate a proceeding to consider whether to eliminate the correspondence file requirement for commercial broadcasters.”⁴ The Commission pledged to do so in recognition that fully transitioning to an online public file would not be possible for broadcast licensees because they must retain a correspondence file

¹ See *In re Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report & Order, 27 FCC Rcd 4535 (2012).

² See *id.* ¶ 11.

³ See *In re Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Report & Order, MB Docket No. 14-127, FCC 16-4 (rel. Jan. 29, 2016) (“*2016 Order*”).

⁴ *Id.* ¶ 38, n.105.

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locally.⁵ Similarly, the need to retain headend location information locally impedes cable operators from fully transitioning to an online file and should be examined in the same proceeding. Both involve the question of whether the costs of the remaining local file requirements outweigh any public benefits. In permitting cable operators to avoid placing headend information online, the Commission agreed that “the general public is unlikely to be interested” in headend location information.⁶ While we appreciate the Commission’s decision to allow cable operators to avoid the security risk of posting this material online, the need to retain this information locally when it is of no interest to the general public imposes unnecessary costs that should be examined in any upcoming rulemaking.

Please contact me if you have you have any questions about this request.

Respectfully submitted,

/s/ Stephanie L. Poday

Stephanie L. Poday

cc: Mary Beth Murphy
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⁵ *Id.* ¶ 38.

⁶ *Id.* ¶ 61. Two Commissioners also acknowledged the potential security risks involved. *See id.*, Commissioner Pai Separate Statement (“including the specific location of cable headends in the online file would raise unnecessary security concerns without providing any benefit to the public”); Commissioner O’Rielly Separate Statement (referencing a “security issue for cable headend locations”).