

April 22, 2016

VIA ECFS

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

RE: Expanding Consumer's Video Navigation Choices, MB Docket No. 16-42; Commercial Availability of Navigation Devices, CS Docket No. 97-80;

Dear Ms. Dortch:

In 1996, I founded the Black Education Network (BEN). BEN produced television programming to give African Americans access to previously unavailable content in education, children's programming, health, culture and politics. Our goal was to provide compelling programming in areas critical to the advancement of the African American community. We were confident that the promise of new technologies, if adequately applied in our communities, would provide transformational benefits. Although we produced excellent, well-received programming, obtaining ample carriage on cable systems proved to be an insurmountable barrier to our long-term success.

The responses we received from large cable systems were extremely disturbing. We were told that since many systems carried the Black Entertainment Network (BET), then a primarily music and comedy channel, there was no need for additional diverse programming. We were repeatedly told that there was no market for positive, uplifting programming targeting the African American community. There is something terribly wrong with a media system where one or two companies have the power to deny the African American community access to programming about education, healthcare, and public policy.

In 2001, BEN, driven by necessity, developed an alternate strategy of acquiring cable systems. Our plan was to establish enough market presence to be in position to leverage our television network on to other cable systems. Even though we had the highest bid (by over \$100 million) for a group of cable systems spun off as a result of the AT&T Broadband/Comcast merger, Comcast and AT&T Broadband refused to sell these systems to BEN.

Even 15 years ago, we knew our only option was to change our business model to an online streaming company. Our goals were to develop a direct to viewer model that

eliminated gatekeepers, provided accessible content, and empowered educational institutions, churches, and nonprofits. Unfortunately, our initiative was not successful in overcoming challenges in technology, broadband access, and access to capital.

Things are very different today. Technology is accessible and easy to share. High quality video can be produced and edited with smartphones! This technological evolution has occurred in ways most could have never imagined in 2001. Most importantly, the Federal Communications Commission is set to provide our country's diverse and independent video programmers and technology entrepreneurs an open media platform that will free us from our big cable past. Had the proposed set top box rules been in place in 2001, we would have had a much better chance at success. We would have had access to millions of viewers, an ability to charge for content, and the opportunity to compete as equals in the video-programming marketplace. Our programming on healthcare would have saved lives. Our educational content would have inspired many who would be among today's greatest achievers. On behalf of the dream that was the Black Education Network and on behalf of all of the other generations of quality programming strangled to demise by a merciless cable system, I enthusiastically applaud the FCC's efforts to unlock the box!

Stephen Davis
CEO
New England Broadband