



April 22, 2016

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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; Promoting the Availability of Diverse and Independent Sources of Video Programming, MB Docket No. 16-41***

Dear Ms. Dortch:

President Obama stated in his January 11, 2016 State of the Union Address "We've protected an open Internet". These words are profound. An open Internet means open opportunities for a new generation of minority owned digital networks, content creators, tech entrepreneurs and film talent.

I am amazed that there are those who will defend the decades-long discriminatory practices of the cable operators. And to add injury to insult, there are others who do not want to disrupt the television programming business. The one industry that needs disrupting more than any industry is the television programming business. Minorities, but specifically African Americans have had their images shaped by television programming. We have literally been programmed by the programmers. We have been inundated with buffoonery, thugs and anti-social behavior for years and this imagery has a direct effect on society. And we can't blame this on the handful of minority programmers. We have to blame it on a system that needs to embrace emerging technologies and emerging minority businesses.

Increasingly, consumers are turning to digital networks to be entertained. Finally, there are greater options for consumers who may not want to be relegated to music videos and reruns of Good Times and Martin. A growing number of minority owned streaming services are focusing on African American content. And a growing number of independent filmmakers are developing original content in long and

short form. They no longer have to beg Hollywood for a pilot show anymore. An open Internet allows for their pilot to be seen by millions in real time. It defies logic that this is not good for African American businesses and the African American community.

Online video is thriving. Advertising dollars are shifting to these video networks and soon will reach \$50 billion. Minority programmers no longer have to beg the cable operators for a channel only to see a few well-connected, hand picked African Americans be selected. Fortunately, the lawsuit brought by Byron Allen exposed the institutional racism of this industry and he was able to break through. Every minority owned cable channel and content owner should applaud this and not be afraid that "they let one more in." We cannot allow ourselves to be afraid of competition and base our business model on being the only game in town.

We are now in a position where there is robust, highly entertaining urban video content available. But the reality is television is still the way to reach the masses. Fortunately, the FCC has the ability to create this opportunity for independent and minority programmers -- but it must act soon before cable operators can establish themselves as the only gatekeepers to the online video market. We need a path to greater distribution of this content and the way to do this is to have a competitive set top box or no set top box system. Online video minority programmers will not be able to grow and thrive with the current system.

The track record of the cable channels and telecoms is clear so this is not about hope and change. We need disruption.

Clifford Franklin  
CEO of FUSE Advertising and GFNTV.com