



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

May 23, 2016

Re: MB Docket No. 16-42 (Expanding Consumers' Video Navigation Choices)

Dear Ms. Dortch,

Consumer Action submits these brief reply comments in the matter of allowing consumers to choose how they access the multichannel video programming to which they subscribe. We are disappointed that many of the opponents of the proposed rulemaking direct their objections away from the content and purpose of the proposal, to the evolving market of video content distribution. Many of the objections raised center on how the FCC plan would impact content creators and consumer privacy (which we find unjustified for the most part) instead of the great savings and new opportunities that would result if consumers were freed from the ball-and-chain of pay TV equipment rental fees.

Consumer Action is vitally concerned about erosions in consumer privacy. However, we can't see the danger if third party devices are subject to a different privacy scheme than MVPDs. The argument that third party device makers will, because they are regulated by the Federal Trade Commission and state law, go hog wild in violating consumer privacy, seems hollow. Meanwhile, pay TV providers are actively engaged in "Big Data" targeting and profiling¹ and are hardly credible as they point at so-called edge providers.

Consumer Action supports the FCC proposal to promote competition and consumer choice in the video navigation marketplace. If the Commission finds genuine concerns in the arguments raised by content creators, diverse and independent voices, the disability community and other consumers, we urge you to use your authority to ensure these interests are not disadvantaged. However, at this point the hue-and-cry appears to be simply an attempt to protect the profits generated by MVPD equipment rentals and keep pay TV shut off from an open and competitive market in which consumers have meaningful choices.

Sincerely,

Linda Sherry
Director, National Priorities

¹ Big Data is Watching: Growing Digital Data Surveillance of Consumers by ISPs and Other Leading Video Providers, Center for Digital Democracy, March 23, 2016 <https://www.democraticmedia.org/article/big-data-watching-growing-digital-data-surveillance-consumers-isps-and-other-leading-video>