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Federal Communications Commission
Washington, D.C.

Re: **Proceeding # 98-201**

To Whom It May Concern:

I write to you regarding Proceeding #98-201. I am an attorney with a broadcasting background (I graduated from the University of Florida with a BS in Broadcasting in 1981).

This proceeding, and the tactics employed by local network affiliates, will cause and have caused many satellite viewers to lose satellite network programming in order to protect local network affiliates.

In my own case, a local CBS network affiliate (WFOR) challenged my reception of satellite CBS network programming. Without hearing or other process, my satellite CBS programming was discontinued by Prime 24 more than a year ago. My reception of WFOR with an antenna array located in my attic (I am prohibited by deed restriction from using an antenna other than within the attic) is unacceptable and intolerable. As a result, I simply cannot (and do not) watch CBS programming.

The time has come for local stations to meet the challenge of new technology. There will, for the foreseeable future, be a place for local network affiliates; however, they cannot and should not be protected from superior competition indefinitely. By allowing satellite viewers to receive distant network signals, local network affiliates will be motivated to do that which the FCC should encourage to develop and maintain strong local and/or regional programming. Many examples have shown that protection of utility monopolies (and local network programming is such a monopoly) has been counterproductive. Indeed, in the most closely analogous utility (cable television programming), local monopolies have ensured inferior programming selection, signal quality, and customer service. It is precisely this monopolistic system that created the market for DBS.

It is not too late to give local broadcasters the impetus to begin migration to the

programming that ultimately will be required of them. There may come a day when there will be one or two network stations providing satellite programming for 90%+ of the nation's viewers. There may even come a time when network programming will be available only via satellite. The fear of that possibility, however, is not a valid basis for blindly protecting local broadcasters from distant satellite programming. If the market ultimate dictates that local network broadcasting is doomed, the market will ensure that something better takes its place, just as the market may be dictating even now that cable television is doomed.

The best gift the FCC can give to local broadcasters is to allow market conditions to make this change gradually and naturally. To artificially protect local broadcasters will, ultimately, make them less competitive. Local broadcasters can and do compete with satellite network affiliates. Local broadcasters can offer local programming and seek to get and hold viewers during prime time hours. If, however, local broadcast network affiliates have no motivation to maintain signal and programming quality, they will be as have cable operators to continue the endless march towards the mediocrity of their ultimate fate.

Very truly yours,

/s/

Ronald J. Marlowe