

December 6, 1999

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Magalie Roman Salas
Secretary, Federal Communications Commission
445 12th Street, SW
TW B204
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION

RE: CS Docket No. 99-251.

Dear Ms. Salas,

I am writing to ask that the FCC reject the proposed AT&T-MediaOne merger currently pending before the FCC. If AT&T is allowed to merge with MediaOne, the ensuing cable monopoly can use its extraordinary market power to control programming and raise prices.

The Cable Television Consumer Protection and Competition Act of 1992 is designed to cap the percentage of homes that one company can control to no more than 30% of the country's combined cable and satellite television subscribers. The new AT&T-TCI-MediaOne conglomerate will control close to 60% of all cable subscribers in the country.

AT&T has argued that its stake in Time Warner should not count against the overall ownership caps because it does not control Time Warner programming. This claim is ludicrous. If its merger with MediaOne is completed, AT&T will own more than 25% of Time Warner – far more than the 5% that the FCC claims is enough to constitute ownership and more than sufficient to exert control over programming decisions or anything else it wishes to effect. Plain and simple, AT&T's 25% stake in Time Warner is ownership and should be counted as such.

Three major national consumer organizations – Consumers Union, the Consumer Federation of America, and the Media Access Project – filed a complaint with the FCC in October asking that the agency fine AT&T \$2.7 million for repeatedly failing to certify the impact of its acquisitions on the size of its national cable ownership share.

The AT&T-MediaOne merger represents a fundamental threat to American consumers and their full participation in the information economy. The FCC should follow its own cable ownership rules and block this merger. With this merger, it's time to stay no.

Sincerely,

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