

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Annual Assessment of the Status of Competition) MB Docket No. 05-255
In the Market for the Delivery of Video Programming)
)

**REPLY COMMENTS OF CENTER FOR DIGITAL DEMOCRACY,
UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, AND
THE BENTON FOUNDATION**

Center for Digital Democracy (“CDD”), United States Conference of Catholic Bishops (“USCCB”), and the Benton Foundation (“Benton”), by their attorneys the Institute for Public Representation, respectfully submit these Reply Comments pursuant to the FCC’s Twelfth Annual Report (“Report”) in the above-captioned matter. The Commission seeks public comment on “the scope of [its] statutory authority under Section 612(g).” Report at ¶36.

The Commission’s authority to regulate under §612(g) is broad. The initial Comments of CDD, *et. al* recognized that §612(g) permits the FCC to at least regulate leased access. Comments of CDD, *et. al* at 4 n.3. CDD *et. al* also support the Comments of Association of Independent Video and Filmmakers (“AIVF”) *et. al*, which recognize that the Commission’s authority under §612(g) is broad. Comments of AIVF, *et. al* at 13-17. Thus, §612(g) allows the Commission “to promulgate *any* regulations that would enhance consumers’ cable experience and ensure that consumers have the ability to access a diversity of information sources.” *Id.* at 13.

Respectfully submitted,

/s/

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