

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of Exclusive Service Contracts for Provision of Video Services in Multiple Dwelling
Units and Other Real Estate Developments

MB Docket No. 07-51

Reply to letter of Richard P. McLaughlin of Video Associates:

Mr. McLaughlin refers to “the corresponding right of the apartment complex owner to select the service provider that he determines to be better qualified for his residents.”

This gets to the crux of the matter.

The right to select the service provider that is best “qualified for the residents”, **belongs to the residents, not the apartment complex owner.**

The apartment complex owner has no more right to select a television service provider for the residents than the apartment complex owner has the right to select the automobile dealer, furniture store, supermarket, gasoline station, etc., that are best for the residents.

If the federal government rules that apartment complex owners have the right to select the service providers that their tenants may use, then apartment complex owners will, in return for financial compensation from the non-excluded providers, prohibit tenants from bringing the groceries, furniture, automobiles, etc., of other providers into the apartments and parking spaces that they rent.

When tenants have no freedom of choose within the apartments that they rent, we tread dangerously close to the feudal system, in which the Lord who owned the land (hence the modern word “landlord”) ruled the occupants much like a government, even to the point of having the legal authority to prevent them from entering into marriage. If we had granted property owners such broad powers in 1865, the official ending of slavery would have made little difference, since the former owners of slaves would have retained their right to near absolute control of the “free” former slaves living on the property of their former owners.