



Minority Media & Telecommunications Council
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October 11, 2007

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

David Honig, Executive Director
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Dear Ms. Dortch:

RE: Exclusive Service Contracts for Provision of Video Services in Multiple Dwelling Units and Other Real Estate Developments, MB Docket No. 07-51

MMTC respectfully encourages the Commission to prohibit video providers from entering into new exclusive access agreements with the owners or agents of multiple dwelling unit buildings and other private real estate developments ("MDUs"). Further, to promote video competition as well as ownership and programming diversity, it is vital that the Commission also prohibit providers from enforcing existing agreements of this nature.

These agreements very disproportionately burden minority consumers and the minority programmers wishing to serve these consumers. As we recently explained:

Minority television viewers are often prevented from choosing cable providers by MDUs' no-overbuild provisions. As it happens, people of color are far more likely than others to reside in MDU housing. While 27.7% of all households are located in MDUs with 50 or more residents, 40.0% of all households headed by people of color (including Hispanics racially identifying as White) live in 50+ dwelling MDUs. See American Housing Survey for the United States (2005), Table 2-25, p. 106.

Consequently, no-overbuild provisions tend to deprive minority programmers of access to their core audiences. As a result, these programmers have more difficulty attracting investors and attaining the critical mass of viewers necessary to enable their investors to recoup their investments.

Letter of David Honig to Hon. Kevin Martin, MB Docket 05-311 (filed September 8, 2006) (attached). Thus these anachronistic and anticompetitive agreements are offensive to the nondiscrimination provision of Section 151 of the Act and the market entry barriers provisions of Section 257 of the Act.

Sincerely,

David Honig

David Honig
Executive Director