

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Leased Commercial Access) MB Docket No. 07-42
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Development of Competition and Diversity in)
Video Programming Distribution and Carriage)
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To: The Commission

REPLY COMMENTS OF REYNOLDS MEDIA INCORPORATED

Reynolds Media Incorporated (RMI) would like to echo the comments made by all the commenting leased access programmers; especially those made by the Leased Access Programmers Association (LAPA), the Community Broadcasters Association (CBA), Combonate Media Group, Abacus Communications Company, and Media Access Project. Like RMI these groups are met with resistance at every turn and are forced to take whatever they can get when negotiating access with large cable operators when attempting to provide a good-hearted service to their respective communities. RMI also wishes to recognize that seemingly many small cable operators go out of their way to accommodate local programmers. Large cable operators on the other hand do everything in their power to discourage local access on their systems.

RMI respectfully submits these comments in reply to Comcast, Time Warner, and the NCTA in response to the Notice of Proposed Rulemaking regarding Leased Commercial Access and designated MB Docket No. 07-42.

It is very apparent to RMI why the cable industry insists that nothing should be done to change the current leased access rules. Local programming through leased access might actually work if the cable operators accommodated local programmers! As it is now, the cable operator holds all the cards and small business programmers and LPTV stations are at their mercy without a leg to stand on in

negotiations. Programmers are forced to agree to 1) the cable operators' terms and conditions, 2) very limited flexibility in program delivery methods, 3) having to accept the maximum rate for airtime, and 4) astronomical rates for equipment and services that are many times NOT needed and not justified.

The cable industry seemingly implies that we as programmers can reach our intended audience simply through current internet sources. This allegation is ridiculous. Much of small town America does not have internet services. And many of those that do are not capable through bandwidth restrictions to view internet video streams efficiently. Nor would small town local advertisers support internet video programming at this time. This would be devastating to demand that programmers seek the internet as their primary source to deliver local programming. It is no surprise the cable industry, in an attempt to kill leased-access, would take this point of view.

The cable industry has stated that the current air time rates are already too low. However, RMI believes that if an LPTV station like our self, which is a most likely candidate for full time leased-access channel placement, can only afford a few hours per day then the system does NOT work and needs to be revamped. RMI can only afford to pay its current air time bill of almost \$750 per month for only 4 hours per day during the week to reach approximately 6,500 households. The current rate for a full time channel is over \$2,000 per month plus the additional \$1,000 per month for the use of the fiber line from the cable systems receiving tower to their own head-end, which is provided FREE to all other off-air programmers. As much as we would like to, RMI is nowhere near capable of paying this enormous amount even when we provide over 13 hours of local-originating, self-produced programming each week for our community via over-the-air broadcast signal.

The cable industry is concerned about the number of programmers who produce infomercials, home shopping, and near pornographic type programming. RMI believes this is a valid concern, although no such programmer is doing so in our area. RMI suggests cable operators record complaints from subscribers. If enough complaints are valid against a particular show, the cable operator should bring the issue to their respective city council, local judge, or community leaders and request that there be a public meeting between the cable operator and the programmer to decide if the program should continue.

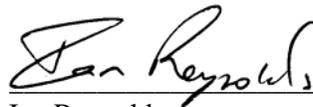
However RMI feels that this decision to discontinue the program should be up to the people in the community and not the cable operator.

Concerning discriminating practices by the cable operators, RMI commented initially that we believe cable operators discourage programmers from choosing the most appropriate delivery method for the programmer. Another example not mentioned initially is the cable operators' method of receiving local content from The Weather Channel. Although The Weather Channel's primary signal is delivered via satellite, its local information is delivered via internet to a device inside the regional cable operator's head-end. We believe the cable operator not only fits the bill for the broadband connection of this device, but also provides support in maintaining the equipment at their local level if there is a problem. Again RMI reiterates that we were denied the ability to provide our local cable operator any equipment for our own programming use and even if we were allowed internet access from within the system's head-end, we would have been forced to pay for the broadband service, cable modem, and may have even been charged insurance and hourly technical rates to maintain our own equipment.

RMI commends the commission for allowing programmers to finally speak-out and allow our concerns to be heard. We hope our comments are of value and look forward to continuing to provide valuable local programming to the communities in which we serve.

Respectfully submitted,

Reynolds Media, Inc.



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