

**Before the
Federal Communications Commission
Washington, DC 20554**

**In the Matter of
MB Docket No. 07-18**

Comments of the Texas Association of Broadcasters

The Texas Association of Broadcasters (TAB) supports the Petition to Deny filed by the North Dakota Broadcasters Association (NDBA) in the matter of MB Docket No. 07-18 regarding the proposed transfer of 38 percent of News Corporation and the DirecTV Group to Liberty Media Corporation.

TAB represents the interests of 1,318 commercial and non-commercial broadcast stations in the State of Texas. It offers the following reasons for its support of the NDBA petition:

In 2004, when News Corporation acquired 34 percent of DirecTV, the company pledged to provide local-into-local carriage of local broadcasters' television signals in the Designated Market Areas (DMAs) where local-into-local satellite coverage was not yet offered. The company committed to providing local stations in all 210 DMAs by 2008.

Despite the expanded capacity of DirecTV's satellite system, the company has not yet fulfilled its promise to extend local-into-local coverage in 68 small markets, including eight in Texas: Amarillo (131), Beaumont-Port Arthur (141), Lubbock (148), Wichita Falls-Lawton (149), Odessa-Midland (157), Abilene-Sweetwater (164), San Angelo (197) and Victoria (204).

The willful denial of service to small and rural television markets by an FCC licensee is contrary to established government policies that encourage or require universal service in areas such as electric power, telephone service, transportation and public education.

Universal local-into-local delivery of broadcast TV signals is consistent with government goals and policies supporting universal service and would enhance the competitive landscape for subscription television service. Satellite television services benefit from higher subscription numbers in markets where they provide local-into-local service, compared to markets where no such service is offered. In addition, competition from satellite television services provides an economic constraint on subscription pricing for traditional cable television services offered in the same markets.

Since 2004, News Corporation and DirecTV have used increased satellite system capacity to expand their offering of high-definition television content to subscribers, but have not used the increased capacity to expand local-into-local service into the small and rural television markets that would benefit from such service.

TAB agrees with the North Dakota Broadcasters Association that the News Corporation-DirecTV petition should be denied unless approval is conditioned upon a specific requirement to achieve the goal of universal service for small and rural television markets within a reasonable period of time.

Respectfully submitted,

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