

ECFS has two recent notices of *Ex Parte* communications between the FCC and Camden Property Trust. For expedience, I respond to both in a single filing.

1. The comment of that various MDU owners and various service providers oppose FCC action is true, because these parties are presently able to use bulk billing arrangements and exclusive contracts to ensure that tenants pay higher rates than they would if they had a free choice of provider. Similarly, most murderers oppose the death penalty. However, the very law that established the FCC states that its purpose is to ensure that all citizens, not merely property owners, have access to communications networks. No *tenant* has expressed opposition to FCC action, which casts serious doubt on the unfounded claims by the beneficiaries of these arrangements that tenants could ever benefit.
2. Camden's reliance on legislative history and statutory support is misplaced. Congress and the FCC have condoned only those arrangements that result in *lower* rates to subscribers. Arrangements that either require tenants to pay for the service of a particular provider, even if they do not use that service, or that prohibit tenants from obtaining service from all other providers, result in *higher* rates.
3. Camden is correct that bulk billing arrangements may result in service remaining active, even when occupants move in or out. This allows service providers to charge for providing service to vacant housing units, a cost which is ultimately passed on to the occupants of other housing units.
4. Camden's claim that allowing tenants who find the service unsatisfactory to move is sufficient demonstrates either an incredible lack of knowledge of housing law, or a gross disregard for it. Similarly, tenants unsatisfied with a landlord's ban on children or wheelchairs also have the option to move, but the Fair Housing Act and the Americans with Disabilities Act give them the right to stay without discrimination, and require landlords to accommodate them.