

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

2030 M Street, 8th Floor
WASHINGTON, D.C. 20036
Phone (202) 326-6000
Fax (202) 331-1427
<http://www.naag.org/>

JAMES E. MCPHERSON
Executive Director

PRESIDENT
PATRICK LYNCH
Attorney General of Rhode Island

PRESIDENT-ELECT
JON BRUNING
Attorney General of Nebraska

VICE PRESIDENT
ROY COOPER
Attorney General of North Carolina

IMMEDIATE PAST PRESIDENT
LAWRENCE WARDEN
Attorney General of Idaho

April 1, 2009

The Honorable Michael Copps, Acting Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: MB Docket No. 09-13 -- Petitions for Declaratory Ruling

Dear Acting Chairman Copps:

We write to you today on behalf of the consumers of our states regarding our concerns with the above-referenced proceeding. Specifically, we are concerned with the potential impact on the preemption of state and local authority in the areas of telecommunications policy.

There are varying jurisdictions and processes in cable franchise regulation that reflect the unique characteristics and demographics of our states. For example, in several states, the power to franchise cable and other video providers has been transferred from local governments to the states. In other states, specific guidelines and limitations have been imposed as to the requirements that could be demanded and enforced by local franchising entities. Our specific concern is that petitioners seek a Commission ruling that would preempt provisions of these state-franchising statutes.

This potential preemption would significantly alter the effective partnership between federal and state governments in shaping the nation's communications policies. As Attorneys General, we consistently advocate against the federal preemption of state law because state governments, with their local expertise, have worked to promote competition, expand broadband access and protect the public interest. We are on the front lines of consumer protection and are strongly against any efforts that would constrain our ability to carry out that function.

We are confident that The Federal Communications Commission will respect the longstanding partnership between states and the federal government and urge the commission to oppose any activity that unnecessarily preempts state's ability to protect consumers, manage its subdivisions and set telecommunications policy within its boundaries.

We share these views and concerns with you and offer the assistance of our offices as you conclude your review. Thank you for the efforts of the Commission and its staff in this matter.

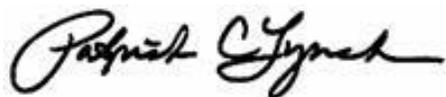
Sincerely,



Richard Blumenthal
Attorney General of Connecticut



Jon Bruning
Attorney General of Nebraska



Patrick C. Lynch
Attorney General of Rhode Island



Troy King
Attorney General of Alabama



Wayne Anthony Ross
Attorney General of Alaska



Terry Goddard
Attorney General of Arizona



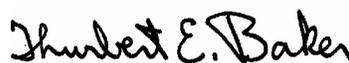
Dustin B. McDaniel
Attorney General of Arkansas



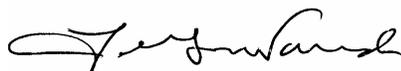
Edmund G. Brown Jr.
Attorney General of California



Bill McCollum
Attorney General of Florida



Thurbert E. Baker
Attorney General of Georgia



Lawrence G. Wasden
Attorney General of Idaho



Steve Six
Attorney General of Kansas



Jack Conway
Attorney General of Kentucky



James D. "Buddy" Caldwell
Attorney General of Louisiana



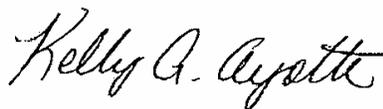
Janet T. Mills
Attorney General of Maine



Lori Swanson
Attorney General of Minnesota



Chris Koster
Attorney General of Missouri



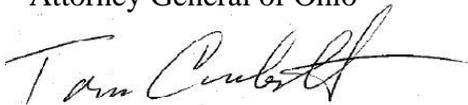
Kelly A. Ayotte
Attorney General of New Hampshire



Roy Cooper
Attorney General of North Carolina



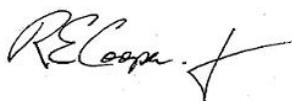
Richard Cordray
Attorney General of Ohio



Tom Corbett
Attorney General of Pennsylvania



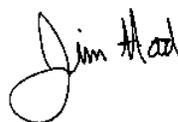
Henry McMaster
Attorney General of South Carolina



Robert E. Cooper, Jr.
Attorney General of Tennessee



Martha Coakley
Attorney General of Massachusetts



Jim Hood
Attorney General of Mississippi



Steve Bullock
Attorney General of Montana



Anne Milgram
Attorney General of New Jersey



Wayne Stenehjem
Attorney General of North Dakota



W. A. Drew Edmondson
Attorney General of Oklahoma



Antonio M. Sagardia de Jesus
Attorney General of Puerto Rico



Larry Long
Attorney General of South Dakota



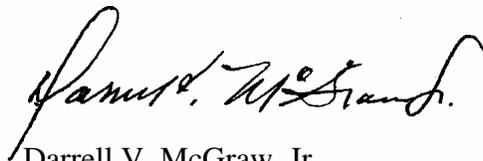
Greg Abbott
Attorney General of Texas



Mark L. Shurtleff
Attorney General of Utah



William C. Mims
Attorney General of Virginia



Darrell V. McGraw, Jr.
Attorney General of West Virginia



William H. Sorrell
Attorney General of Vermont



Rob McKenna
Attorney General of Washington