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Congress of the United States  
House of Representatives  
Washington, DC 20515-3003

January 15, 2009

COMMITTEE ON FINANCIAL SERVICES  
Subcommittee on Capital Markets,  
Insurance and Government  
Sponsored Enterprises  
Subcommittee on Domestic Monetary  
Policy and Technology  
Subcommittee on Oversight  
and Investigations  
COMMITTEE ON VETERANS' AFFAIRS  
Subcommittee on Economic Opportunity  
Subcommittee on Oversight  
and Investigations

The Honorable Julius Genachowski  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

FILED/ACCEPTED

JAN 29 2010

Federal Communications Commission  
Office of the Secretary

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Re: Notice of Ex Parte Presentation  
MB Docket Nos. 07-29 and 07-198

Dear Chairman Genachowski:

I understand from the agenda released on January 13, 2010, that the Commission plans to adopt an Order on program access next week.

While I support competition and choice in the media industry, I think it is critical that the Commission be mindful of the need to support the creation of innovative programming. I understand from recent press reports that the Commission may conclude that a video provider can petition the FCC to compel another video provider that owns a programming service to share that programming. If you do go forward with such an approach, I urge you to create a balanced process to assess complaints, with no presumptions as to when programming should be shared.

Many media companies, including those in my district, have been working diligently to avoid lay-offs in these difficult economic circumstances. The FCC should be careful not to impede investment in the creation of new content, technology, and local programming.

Thank you for your prompt attention to this matter. Should you have any questions, please do not hesitate to contact me directly at 202-225-4765.

Sincerely,

John Adler  
Member of Congress

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