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COMMITTEE ON APPROPRIATIONS

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

August 19, 2010

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Ex parte comments on MB Docket 10-148 Implementation of Section 203 of the Satellite Television Extension and Localism Act of 2010

Dear Commissioners:

The following comments sum up the ex parte comments made by my staff on my behalf about the proposed rulemaking to implement Congress' direction on significantly viewed television broadcasts. In my ex parte comments today on this docket, I elaborated and expanded upon my letter of August 17, 2010 to the Federal Communications Commission. As you know my primary concern with this rulemaking is to provide the ability for my constituents to receive in-state television broadcasts so that they may be informed about news, emergency warnings, sports, and events in their own state of Colorado. I have been working with a number of other stakeholders on this issue and we all feel that the time for action is now. For too long this issue has not been addressed and my constituents have suffered from current rules that stifle all efforts to resolve this issue. I therefore believe that the FCC should take any and all steps in its power to resolve this issue once and for all. In my ex parte comments, I therefore made the following requests and reiterate them here for the record.

First and foremost, I ask that the FCC support Dish Network's request in their comments on this matter for the FCC to initiate a Further Notice of Proposed Rulemaking to amend the Commission's retransmission rules. This change would clarify the current rules so that they do not hamper satellite carriers from offering significantly viewed stations to their subscribers. The current rules negatively impacts La Plata and Montezuma Counties, as one way these counties could get in-state Denver station broadcasts is by having the Denver stations placed on the significantly viewed list. Also needed, as Dish notes in their comments, are reform rules that ensure the fair implementation of the list so that significantly viewed stations can actually be carried by satellite and other providers once they are placed on the list. Anything that makes the significantly viewed list easier for more in-state broadcasts to get to La Plata and Montezuma Counties has my full support.

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970-245-7107
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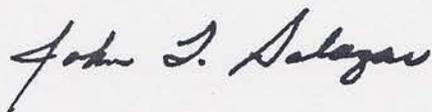
813 MAIN AVENUE, STE 300
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I am also asking for an even more beneficial reform. As I first mentioned in my August 17th letter, this reform would give orphan counties the right to have in-state stations placed on the significantly viewed list. Dish Network agrees this change needs to be made and has called for orphan counties such as La Plata and Montezuma that don't receive broadcasts from their own state to be automatically given the right to have in-state stations placed on the significantly viewed list. Doing this would make it far easier for Denver based stations to be received here in Southwest Colorado. I support Dish Network's official request for a proposed rulemaking on this issue and urge the FCC to convene that rulemaking as soon as possible.

In addition, I also ask that you consider granting La Plata and Montezuma Counties the right to have both satellite and cable broadcasts considered in the compilation of figures for significantly viewed. Currently Montezuma, and particularly La Plata County, are cut off by geography from receiving over the air broadcasts from in-state. If satellite and cable statistics were taken into account, the significantly viewed list would reflect that. Therefore due to unique geographic circumstances, I ask you to issue a waiver or initiate a rulemaking to give La Plata and Montezuma Counties the ability to use cable and satellite broadcasts for compilations of the significantly viewed list. I also ask the FCC to consider granting local governments in Southwest Colorado the right to directly petition your agency to place them on the significantly viewed list. If given the chance, I believe that both Montezuma and La Plata could make a strong case for that to happen for both the public interest and for public safety. I therefore ask you to either grant a waiver or initiate a rulemaking to allow this to happen as soon as possible.

Thank you for your consideration of my comments on this matter. This is an issue that is very important to my constituents. I believe the time has come to resolve this issue and allow the residents of Southwest Colorado to receive broadcasts from their own state. I ask that you do anything in your power under this rulemaking or separate actions to resolve this issue. Please keep my Durango and Washington D.C. offices informed of any actions you take on these requests.

Sincerely,

A handwritten signature in cursive script that reads "John T. Salazar". The signature is written in dark ink and is positioned below the "Sincerely," text.

John T. Salazar
Member of Congress