



November 12, 2010

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

Dear Chairman Genachowski:

For the past 15 years, The Latino Coalition has remained committed to ensuring that our work fosters economic equivalency and enhances the business, economic, and social development of Latinos. The recent blackouts that occurred in the New York and Philadelphia markets, leaving over 3 million consumers without access to important news programming such as FOX Business News and other local news sources, as well as Spanish language programming like FOX Deportes concerns us.

While FOX (owned by News Corp.) and Cablevision were able to reach an agreement last month, future disputes continue brewing and consumers still remain at risk of losing invaluable resources for news and information, as well as the potential for higher cable rates. Small business owners are also affected when their advertising dollars are squandered due to blackouts. Even brief lapses in marketing as a result of blackouts can place small businesses at a loss. For these reasons, we are asking that the Commission issue a *Notice of Proposed Rulemaking* to examine the need for retransmission consent reform before there is another blackout and consumers are caught in the crossfire.

Current retransmission consent rules are outdated, having been written when the broadcast and cable industries were vastly different from their configurations today. While the 1992 Cable Act was intended to protect broadcasters from being dropped by cable companies, today, the roles have been reversed as broadcasters have the balance of power over multichannel video programming distributors (MVPDs), with the ability to cause MVPDs to either surrender to broadcasters' requests for higher fees or lose the broadcast signal.



Consumers and small businesses need long-term protection from loss of local programming and higher service costs. Revising the retransmission consent rules through an issuance of a *Notice of Proposed Rulemaking* will help to restore balance between the broadcast and cable industries and preserve the television viewing choices of all consumers.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Gutierrez", with a long horizontal flourish extending to the right.

Allen Gutierrez
Executive Director