

Congress of the United States
Washington, DC 20515

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December 1, 2010

Federal Communications Commission
Office of the Secretary

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

Dear Chairman Genachowski,

In the matter of the Federal Communications Commission (FCC) Notice of Proposed Rulemaking (NPRM) to implement Section 203 and 304 of the Satellite Television Extension and Localism Act of 201 (STELA), we write to voice our concern for the households in Wyoming that do not have access to Wyoming-based television programming. As you consider a rule to implement STELA, we urge you to consider the needs of these "orphan" counties.

The issue of orphan counties – counties that are considered part of the local market of a neighboring state – is a national issue that affects satellite viewers from New Jersey to Oregon. However, it has long been widely acknowledged that Wyoming is the poster child for everything that is wrong with the current system of Designated Local Market Areas (DMA). There are seven DMAs within Wyoming's boundaries, five of which do not originate within the state. Owing to the so-called localism rules, 16 of Wyoming's 23 counties are orphaned. Put another way, nearly 55% of all Wyoming television households cannot receive Wyoming-based news, weather, sports, or emergency alerts from their satellite subscription.

The sheer size and remote nature of Wyoming lend itself toward satellite television service, but the lack of any truly local access is cause for great frustration in our state. For example, residents of one northern Wyoming county is still considered part of Denver, Colorado's local market area – an absurdity when you consider that Denver is nearly 400 miles away, and the in-state market area originates from the next county.

We recognize that wholesale reform of the DMA system was regrettably not contemplated during consideration of STELA. However, we do not believe that precludes the FCC from taking a targeted approach to solving what is a very real issue for Wyoming. We urge you to carefully consider taking appropriate steps to ensure that residents in orphan counties have the option of viewing in-state programming. Thank you for your attention to this important matter.

Sincerely,

Michael B. Enzi *John Barrasso* *Cynthia M. Lummis*
Senator Michael B. Enzi Senator John Barrasso, M.D. Representative Cynthia M. Lummis

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