



**Michael E. Olsen**  
Senior Vice President,  
Legal Regulatory and Legislative Affairs

February 22, 2011

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20054

**Re: MB Docket No. 10-238; Report to Congress on In-State  
Broadcast Programming; Reply Comments of Cablevision  
Systems Corp.**

Dear Ms. Dortch:

Cablevision Systems Corp. (“Cablevision”) respectfully submits these reply comments to reiterate the importance of making in-state broadcast programming available to viewers in “orphan counties.” The comments in this proceeding demonstrate that the issue of “orphan counties” – counties that do not receive in-state broadcast programming because they are part of designated market areas (“DMAs”) of other states – is one of serious concern that negatively affects viewers across the country.

Cablevision agrees with the comments of United States Senator Michael Bennet of Colorado that Colorado’s orphan counties “should have the same basic ability to see broadcasts from their own state as every other county in Colorado.”<sup>1/</sup> As Colorado State Senator Ellen Roberts explains, viewers in Colorado’s orphan counties “want the option of being able to view Denver or Grand Junction [] stations for such programming as emergency broadcasts,

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<sup>1/</sup> Letter from U.S. Senator Michael F. Bennet to Chairman Julius Genachowski, Federal Communications Commission, MB Docket No. 10-238 (filed Jan. 21, 2011).

news, sports, weather [and] cultural coverage.”<sup>2/</sup> Subscribers to Cablevision’s systems in Colorado’s La Plata and Montezuma counties should be able to receive the local broadcasts from Colorado stations, rather than the signals of New Mexico broadcasters.<sup>3/</sup>

Moreover, the problem in some states extends to large portions of viewing households. U.S. Senator Michael Enzi, U.S. Senator John Barrasso and Representative Cynthia Lumis of Wyoming state that “*nearly 55%* of all Wyoming television households cannot receive Wyoming-based news, weather, sports or emergency alerts from their satellite subscription.”<sup>4/</sup> Other Members of Congress representing orphan counties agree. U.S. Senator Mike Ross of Arkansas observed that his constituents “are typically most interested in news, weather and sports from Little Rock,” but that his constituents in Arkansas orphan counties are “forced to watch Louisiana television.”<sup>5/</sup>

Indeed, the record in this proceeding is filled with letters from citizens residing in orphan counties expressing their frustration at not being able to view in-state local broadcasters, and instead, because Nielsen places their counties in out-of-state television markets, receive “local” news, weather and sports programming from other states. As one citizen of Colorado’s La Plata county noted, “not surprisingly, these stations tend to feature subjects of interest to their primary audience, [] not to us.”<sup>6/</sup> This result works against the goal of having citizens receive broadcast signals as an important source of local news and public affairs programming.

To address these concerns, Cablevision urges the Commission to use this proceeding as the first step of addressing the problem of orphan counties. The Commission should highlight in its report to Congress the need for a solution that

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<sup>2/</sup> Comments of Colorado State Senator Ellen Roberts, MB Docket No. 10-238 (filed Jan. 23, 2011).

<sup>3/</sup> See Comments of Cablevision Systems Corporation, MB Docket No. 10-238 (filed Jan. 24, 2011) (“*Cablevision Comments*”).

<sup>4/</sup> Letter from U.S. Senator Michael Enzi, U.S. Senator John Barrasso and Representative Cynthia Lumis to Chairman Julius Genachowski, Federal Communications Commission, MB Docket No. 10-238 (filed Dec. 1, 2010) (emphasis added).

<sup>5/</sup> Letter from U.S. Senator Mike Ross to Chairman Julius Genachowski, Federal Communications Commission, MB Docket No. 10-238 (filed Jan. 25, 2011).

<sup>6/</sup> Comments of Tom Harris, La Plata County, Colorado, MB Docket No. 10-238 (filed Jan. 24, 2011).

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will enable subscribers in orphan counties to enjoy programming from their in-state broadcasters without imposing additional carriage or copyright fee obligations on the cable system.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael E. Olsen". The signature is fluid and cursive, with the first name being the most prominent.

Michael E. Olsen