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AT&T Seeks Mega-Merger, FCC Still Stalled on PEG

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Action Alert

AT&T Seeks Mega-Merger, FCC Still Stalled on PEG

The New York Times [this week explored](#) the high cost and risk of AT&T's proposed merger with T-mobile, quoting one of Wall Street's "most thoughtful telecommunications analysts" as saying, "We've never seen a deal with more regulatory risk be attempted in the U.S."

But just how much scrutiny will there be?

The merger hinges in part on approval by the Federal Communications Commission (FCC), whose historic mission has been to safeguard the interest of the public.

But when it comes to AT&T, the FCC's track record isn't encouraging.

Some years ago, with much fanfare, AT&T rolled out its U-verse system, which it touted as a high end, high quality competitor to cable, replete with cutting edge bells and whistles. But AT&T abandoned its promises when it came to handling public, educational and government (PEG) channels.

Consumers seeking public access programs on U-Verse are deprived of some of the most basic functions cable viewers have come to expect -

Channel surfing? No can do.

Record a program while out for the day? Sorry.

Find your child's school event in the program guide? Not possible.

Discriminatory? You bet.

[Independent survey results show](#) that over 85% of Chicago cable subscribers say it's important that community channels are easy to find and record. Subscribers also want

community channels to have technical advancements equal to commercial channels.

So what's the FCC doing about this? It's been over two years since the Petition, *ACM et al.*, was filed by cities and public advocates from around the country challenging discriminatory treatment of PEG. But the FCC has yet to grant the Petition.

In the meantime, the same principle at stake with AT&T cropped up in relation to the Comcast/NBCU merger. The FCC made it a condition of approval that *Comcast cannot discriminate against PEG with respect to functionality, signal quality and features from those of the broadcast stations that it carries*. But the FCC's failure for the past 26 months to stop AT&T from discriminating against the public's channels makes the Comcast prohibition porous at best.

Almost a year ago, FCC Chairman, Julius Genachowski, testified before a US House Subcommittee that the FCC plans to "honor the statute here and take this very seriously and make sure PEG isn't left behind."

In light of AT&T's bid to get even bigger, it's high time Chairman Genachowski take care of unfinished business and turn those words into action.

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