

MEDIA BUREAU ACTION

COMMISSION SEEKS COMMENT ON PETITION FOR RULEMAKING SEEKING ELIMINATION OF THE SPORTS BLACKOUT RULE

I strongly advise the Federal Communications Commission to NOT ELIMINATE its SPORTS BLACKOUT RULES but INSTEAD STRENGTHEN THE RULES to protect consumers. Furthermore the F.C.C. should examine its rules for sports blackouts in combination with its review of reforming broadcast retransmission consent. Currently, Time Warner Cable is in a broadcast retransmission consent dispute with sports network MSG that provides local sports programming for residents of New York State. The problem is MSG is demanding higher fees from Time Warner Cable to be able to provide its subscriber's access to MSG and MSG Plus. As a result sports fans in Buffalo, NY subscribing to Time Warner Cable cannot tune into the wildly popular Sabres games on MSG. Frankly, I believe the best solution for consumers is to allow us to choose what channels we want a la carte. Why should consumers be forced to pay for channels they don't watch? Sports fans that want MSG should be able to subscribe to the channel but those of us who don't watch it should not have to pay extra on our TV bills for MSG.

Unfortunately though all TV providers are obligated to bundle channels together raising the price of TV for consumers and when a broadcast or cable TV network demands higher fees from a service provider the higher fees are ultimately passed on to the consumer. At least with the Internet consumers have a choice of a la carte programming but this threatens the service provider's cable TV business so in today's

anti competitive duopoly broadband marketplace the big cable companies are throttling bandwidth and raising prices to discourage use of competing a la carte video services online. These actions clearly violate the spirit of Network Neutrality and ISP discrimination complaints should be investigated with offending ISPs punished.

However, that is a different matter entirely meant for a separate docket. The point is that consumers need to be protected from programmers demanding higher fees from our providers that then threaten to hold popular programming hostage if the providers do not give in to their extortionate demands. Whatever the F.C.C. decides consumer protection must be a top priority for the agency in its decision making process.