



October 4, 2012

The Honorable Fred Upton, Chairman
Energy and Commerce Committee
United States House of Representatives
2183 Rayburn House Office Building
Washington, D.C. 20515-2206

The Honorable Henry A. Waxman
Ranking Member, Energy and Commerce Committee
United States House of Representatives
2204 Rayburn House Office Building
Washington, D.C. 20515-0530

Dear Chairman Upton and Ranking Member Waxman:

The Eastern Rural Telecom Association (“ERTA”) is a membership organization made up of local exchange companies (“LECs”) and support companies that provide telecommunications, broadband, and cable services to rural customers in the Eastern half of America.

ERTA agrees with the concerns and points made in the attached letter from the Independent Telephone and Telecommunications Alliance (“ITTA”). The FCC’s current rules, put in place at the direction of Congress, require larger cable operators to make programming that they own available to smaller competitors and not block competition. The contract exclusivity prohibition aspect of these FCC rules that makes this competition possible is set to expire Friday October 5, 2012. ERTA is concerned that customers in rural areas served by smaller cable operators will lose access to programming that is owned by larger cable operators if the FCC does not extend the contract exclusivity prohibition.

ERTA is requesting that you support rural customers and cable competition by encouraging the FCC to extend the contract exclusivity prohibition of its rules past Friday.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ms. Darby McCarty".

Darby McCarty
President
Eastern Rural Telecom Association Board of Directors

cc: Honorable Greg Walden
Honorable Anna G. Eshoo
FCC



INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE

October 3, 2012

The Honorable Fred Upton
Chairman, Energy and Commerce Committee
Rayburn House Office 2125
Washington, D.C. 20510

The Honorable Henry A. Waxman
Ranking Member, Energy and Commerce Committee
Rayburn House Office 2322
Washington, D.C. 20510

Dear Chairman Upton and Ranking Member Waxman:

The Independent Telephone and Telecommunications Alliance (ITTA) is a trade association representing mid-size telecommunications carriers that serve more than 20 million access lines in 44 states. In addition to offering broadband, voice and data services, ITTA members have begun offering video services to subscribers. As new entrants in the video marketplace, ITTA members require reasonable and non-discriminatory access to video content in order to compete effectively and support continued broadband investment.

In 1992, Congress recognized that access to the content owned by vertically-integrated cable television companies is essential for competition in the video marketplace. Thus, Congress directed the FCC to adopt a rule prohibiting exclusive programming arrangements by vertically-integrated cable companies. This rule, known as the exclusive contract prohibition of the FCC's program access rules, has led to greater video competition, better consumer choice, while facilitating broadband deployment.

Since that time, voice, video, data, and broadband have become intertwined services that rely on the same infrastructure these services typically are purchased by consumers in packages, or bundles. The exclusive contract prohibition of the program access rules has thus become vital to competition in not just the video marketplace, but also in the voice, data, and broadband marketplaces as well.

The contract exclusivity prohibition will expire Friday, October 5 absent extension by the FCC. This means that cable operators could withhold critical, must-have programming, such as regional sports networks, in order to handicap competitors and deny consumers more competitive choices. We strongly urge you to exercise your full oversight, policy setting, and consumer protection responsibility over the FCC and the telecommunications industry to ensure that this necessary safeguard is extended to preserve competition and consumer choice as Congress directed.

Sincerely,

Genevieve Morelli
President, ITTA

cc. Honorable Greg Walden
Honorable Anna G. Eshoo