

August 25, 2014

Chairman Tom Wheeler  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554

Re: MB 14-57

Dear Chairman Wheeler:

On behalf of the 65 undersigned organizations, representing low-income consumers, community-based leaders, content producers, and public interest organizations from across the country, we urge you to stop the proposed merger between Comcast and Time Warner Cable. A merger between the nation's two largest cable companies would inevitably lead to unprecedented gatekeeper control over our nation's telecommunications and media landscape. It would mean higher prices and fewer choices for broadband users and cable customers. It would put too much control over the future of the Internet and our communications infrastructure in one company's hands and would negatively impact diversity in ownership and content.

Pay-TV rates have risen for two straight decades, and Comcast's rates have gone up as fast as anyone's despite its scale. Comcast's Executive Vice President David Cohen made no promises that this merger would rein in those skyrocketing prices, saying there was no guarantee "that customer bills are going to go down or even increase less rapidly."<sup>[1]</sup>

This deal would increase Comcast's service area to almost two-thirds of the U.S. It would allow Comcast to use its increased market power, and increased control over millions more customers, to dictate terms to broadband content providers and increase its leverage over cable programmers. To put it mildly, combining these two firms would lessen competition and harm innovation, but not improve the consumer experience.

Despite all this, Comcast is currently trying to impress Washington by claiming to provide low-cost broadband access to low income communities and by nominally embracing Net Neutrality. Yet due to barriers that limit eligibility, customer difficulty with signing up, and lack of outreach even to eligible participants, the company's Internet Essentials program has not delivered on its promises.

Comcast's commitment to Net Neutrality is also problematic to say the least. First, all broadband users deserve strong Open Internet protections, and that's only possible with Title II reclassification that applies to every broadband provider. Merger conditions that apply only to Comcast are no substitute for rules protecting everyone, no matter how strong those conditions may be. Moreover, the conditions that apply to Comcast today are not permanent.

Comcast agreed to Net Neutrality conditions that run until 2018 to gain approval for its previous merger with NBCUniversal.

After 2018, those conditions expire and Comcast customers would be left without protection absent reclassification and real Net Neutrality rules. Our rights to connect and communicate should not have an expiration date. Even while these conditions have been in place, Comcast has found ways to manipulate them – using its market power to charge new tolls for Internet content and create special exemptions for its own video services. These kinds of anticompetitive practices would only grow as a result of this merger.

Comcast has a history of misrepresenting its adherence to other merger commitments, too. It has been fined for failing to fulfill the standalone broadband service commitments it also made for the NBCUniversal acquisition, and it had to be ordered by the FCC to live up to its commitments about equitable treatment for independent channels. Given this history, no amount of promises or conditions would be good enough to assuage concerns about this merger. The deal needs to be rejected outright.

The transaction is just as concerning for its negative impacts on media localism and diversity. At the state level, firms like Comcast have lobbied for “State Franchising” bills that have stripped municipalities of the power to negotiate franchise agreements with cable companies. This merger would also further the need for measures promoting diversity in ownership. The FCC’s most recent statistics found that already low ownership levels for people of color have only gotten worse. Allowing Comcast to merge with Time Warner Cable would only continue the trend away from the diverse local media our communities need.

In closing, we urge the Federal Communications Commission to review the facts—this merger is not in the public interest. Hundreds of thousands of people around the country have already called on you to stop this merger and an increasing number of people around the country want the opportunity to meet with the FCC face to face to provide the data and public input crucial for informed discussions and decisions about this merger. For these reasons, we ask you to reject this deal.

Signed,

About Disability

Access Humboldt

Appalshop, Inc.

Art Is Change

Austin Airwaves

Broadband Alliance of Mendocino County

Cambridge Community Television

CCTV Center for Media & Democracy

Center for Digital Democracy  
Center for Media Justice  
Center for Rural Strategies  
ColorOfChange.org  
Common Cause  
Common Cause Colorado  
Common Cause Hawaii  
Common Cause Illinois  
Common Cause New York  
Common Frequency  
Community Media Visioning  
Consumers Union  
Courage Campaign  
CREDO Mobile  
Daily Kos  
Demand Progress  
Democracy for America  
Easton Community Access Television  
Evanston Community TV  
Free Press  
FREE! (Families Rally for Emancipation and Empowerment)  
Future of Music Coalition  
Generation Justice  
Global Action Project  
Independent Media Publications  
Institute for Local Self Reliance  
Iraq Veterans Against the War  
Martinez Street Women's Project  
Media Action Grassroots Network (MAG-Net)

Media Alliance  
Media Literacy Project  
Media Mobilizing Project  
Minnesota Center for Neighborhood Organizing  
National Alliance for Media Arts & Culture  
National Organization for Women  
Nothing Without Us  
OpenMedia International  
Open Technology Institute, New America Foundation  
Philadelphia Student Union  
Popular Resistance  
Presente.org  
Progressives United  
Prometheus Radio Project  
Public Knowledge  
Rural Broadband Policy Group  
St. Paul Neighborhood Network  
Sports Fan Coalition  
Stop Comcast  
SumOfUs  
The Greenlining Institute  
The Harry Potter Alliance  
The Other 98%  
The People's Press Project  
TURN – The Utility Reform Network  
Writers Guild of America East  
Women in Media & News  
Working Narratives

[1] <http://arstechnica.com/tech-policy/2014/02/comcast-no-promise-that-prices-will-go-down-or-even-increase-less-rapidly/>