



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

January 4, 2010

The Honorable Sherrod Brown
United States Senate
713 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Brown:

Thank you for your letter regarding the *Petitions for Declaratory Ruling* that were filed with the Commission concerning the carriage of public, educational and governmental (PEG) channels on multichannel video programming distribution systems. I agree with your view that PEG channels are an important source for local programming and the Commission should ensure that the channels receive equitable treatment consistent with the Communications Act and the Commission's rules.

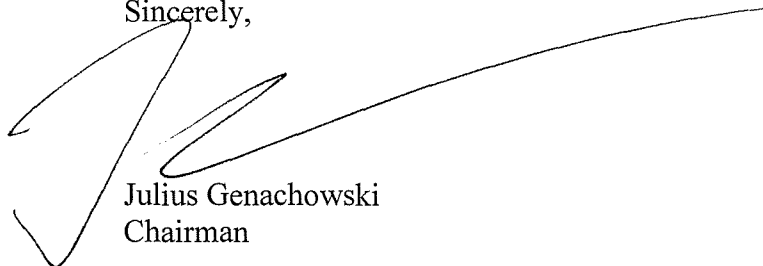
As you know, the City of Dearborn filed suit against Comcast Corporation in the U.S. District Court for the Eastern District of Michigan, challenging Comcast's plan to deliver PEG channels in digital format while continuing to provide some services in analog format. Comcast representatives recently notified the Commission that each Comcast cable television system in Michigan generally will continue to deliver PEG channels in analog format on the basic service tier until all channels on the basic tier are delivered in digital format. Comcast also submitted a Status Report with the district court, advising it of Comcast's revised plan for PEG channels and requesting a conference to expedite disposition of the case, to which the City of Dearborn filed a response. The court has scheduled a Status and Scheduling Conference for January 10, 2010, and has ordered the parties to meet in advance of this date to prepare a joint plan. Please be assured that the Commission will closely monitor further developments in the district court proceedings.

In the interim, the Commission's Media Bureau continues its review of the record with respect to the remaining *Petitions* that are pending before the Commission. The *Petitions*, filed by the Alliance for Community Media *et al.* and by the City of Lansing, Michigan, raise complex and important issues requiring careful analysis of the law governing the carriage of PEG programming by multichannel video programming distribution systems. I have directed the Bureau to complete its review of the record and to develop recommendations on how to proceed expeditiously.

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I appreciate learning your views on this important matter. Your correspondence has been made part of the record developed in the proceedings. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a long horizontal stroke that tapers to the right.

Julius Genachowski
Chairman