

# Congress of the United States

Washington, DC 20515

June 5, 2013

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The Honorable Mignon Clyburn, Acting Chairwoman  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Dear Acting Chairwoman Clyburn,

Thank you for your continuing work to ensure that broadcasters, cable operators, satellite TV operators and other pay TV providers comply with the Commercial Advertisement Loudness Mitigation (CALM) Act, which prevents TV advertisements from being transmitted at louder volumes than the program material they accompany. We know the American people will be grateful when they are completely free from the nuisance of loud commercials.

As the Federal Communications Commission (FCC) approaches the six month mark since the CALM Act rules went into effect, we're writing to request your response to the following questions:

- 1) How many complaints has the FCC received from consumers reporting commercials that appear louder than the programming that they accompany? Please provide a breakdown of these complaints by month beginning in December 2012 and include any comparative data to the number of complaints received before the CALM Act went into effect.
- 2) Has the FCC observed any patterns with regard to non-compliance?
- 3) Has the FCC received any specific complaints regarding commercials inserted during "video-on-demand" programming?
- 4) How many waiver requests has the FCC received for temporary relief from the CALM Act rules and how many of these requests have been granted?

Thank you in advance for your cooperation and we look forward to your timely response to our questions.

Most gratefully,



Anna G. Eshoo  
Member of Congress



Sheldon Whitehouse  
United States Senator

cc: Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai