

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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September 5, 2014

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Chairman Wheeler,

In its March 31, 2014 Report Order and Further Notice of Proposed Rulemaking, the Federal Communications Commission (“FCC” or “Commission”) sought comment on whether it should eliminate or modify the broadcast exclusivity rules for local markets, including the network non-duplication and syndicated exclusivity rules (“local market rules”). The local market rules allow broadcasters and content owners to enforce their contractual rights and form the basis for the current broadcast business model. Because these rules are foundational to American broadcasting and the effects of eliminating or modifying the rules are unclear, we urge the Commission to not modify any local market rules without due process, a fulsome record, and a meaningful consideration of the potential harms.

The video marketplace has changed significantly since the Commission adopted the local market rules and many questions remain regarding how elimination or modification of any or all of the rules would affect the marketplace and interested parties. The local market rules are part of a larger legislative and regulatory regime that defines the U.S. broadcasting industry as well as significant portion of the video content industry. Any changes to these rules should be considered in the larger context of the video economy, particularly in light of the public interest relationship between local programming and these rules.

Some stakeholders argue that these rules are necessary to support local broadcast programming. We take these concerns seriously, as our nation values access to local news and information. Accordingly, we have requested the Government Accountability Office conduct a study on the impact that modifying or eliminating the local market rules would have on the availability of local broadcast content. We urge the Commission to consider GAO’s conclusions as part of its proceeding on the local market rules.

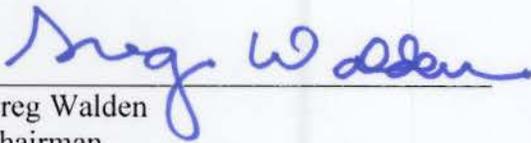
Sincerely,



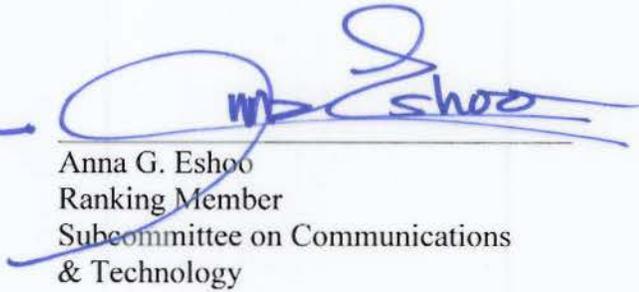
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Chairman



Henry Waxman
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Subcommittee on Communications
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