



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 22, 2016

The Honorable David B. McKinley
U.S. House of Representatives
412 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman McKinley:

Thank you for your letter sharing your interest on behalf of small and medium-sized broadband, video and voice providers and the impact the proceeding on retransmission consent reform will have on them. Your views are very important and will be included in the record of the proceedings and considered as part of the Commission's review.

As you indicated, the Commission adopted a Notice of Proposed Rulemaking (NPRM) in September 2015 to review the so-called "totality of the circumstances test" for evaluating whether broadcast television stations and multichannel video programming distributors (MVPDs), such as cable television operators and satellite television carriers, are negotiating for retransmission consent in good faith. The NPRM undertakes a robust examination of practices used by parties in retransmission consent negotiations. The goal of the NPRM is to ensure that these negotiations are conducted fairly for all parties, including small MVPDs, and in a way that protects consumers. Section 76.65 of our rules currently lays out the standards for what constitutes good faith negotiation. The pending NPRM seeks comment on how we can strengthen these rules and help minimize service disruptions. Commission staff is currently reviewing the record in this proceeding; the analysis of that record will include careful consideration of the comments submitted by small and medium-sized MVPDs.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized flourish extending to the right.

Tom Wheeler