

Advocacy Urges FCC to Consider Small Business Impact When Evaluating Video Programming Access Rules

On March 26, 2007, Advocacy filed a comment with the Federal Communications Commission (FCC) in response to the Commission's video programming access rulemaking. The FCC is considering what impact the sunset of Section 628(c)(5) may have on the multichannel video programming distribution (MVPD) market, as well as what changes should be made to the current complaint system. Advocacy believes that the rule will have a significant economic impact on small MVPDs and urged the FCC to give careful consideration to the information and alternatives presented by small businesses. A complete copy of Advocacy's letter may be accessed at: <http://www.sba.gov/advo/laws/comments/>.

- The ban on exclusive programming contracts has maintained diversity and competition in the MVPD market by preventing vertically integrated programmers from favoring affiliated cable operators over nonaffiliated cable operators. Advocacy supports extending the ban for at least three more years so that the FCC can fully evaluate the impact of increased vertical integration on small entities in the market without the current contract prohibition.
- The video programming access dispute resolution rules are designed to remedy disputes under Section 628. An aggrieved MVPD may file a complaint with the Commission pursuant to 47 C.F.R. 76.7 and 76.1003. Advocacy supports strengthening the current rules and resolving administrative difficulties to ensure that the new rules will not unnecessarily burden small entities within the MVPD market.
- The time and cost involved with resolving a program access dispute with the FCC may discourage small entities from engaging in the current complaint process. Advocacy asks that the FCC consider an arbitration system that would reduce both the time and cost for small businesses involved with this process.

For more information, visit Advocacy's website at: <http://www.sba.gov/advo/> or contact Cheryl Johns at (202) 205-6949.