

NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

For immediate release: December 21, 2007

Contact: Jodi Seth or Carrie Annand, 202-225-5735

Chairman Dingell Challenges Comcast Decision

Restricting Availability of Public, Educational, and Governmental (PEG) Channels

Washington, DC – Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, sent the following letter today to the Chairman and CEO of the Comcast Corporation regarding the company's plan to require customers to lease additional equipment from Comcast to view public, educational and governmental (PEG) channels.

Comcast has announced that, effective January 15, 2008, subscribers in many Michigan communities, for the first time, will need to rent a set-top box from Comcast to view PEG channels. During the first year, each subscriber will be given a set-top box free of charge for one television, but will need to lease additional set-top boxes for each additional television in order to view PEG channels. Further, the availability of the single free set-top box will expire after one year.

The full text of the letter is below.

December 21, 2007

Mr. Brian L. Roberts
President and CEO
Comcast Corporation
1500 Market Street, 35th floor
East Tower
Philadelphia, PA 19102

Dear Mr. Roberts:

I write to express great concern over a recent decision by your company. It appears that many Comcast subscribers in my district and elsewhere in Michigan will be required to install an additional piece of cable equipment in their homes in order to view public, educational, and governmental channels, known as "PEG" channels. It is my understanding that as of January 15, 2008, Comcast will move PEG channels to its digital tier of service in many Michigan communities, including Ann Arbor and Dearborn. Comcast's analog subscribers will then need a set-top box to be able to view PEG channels. I ask that Comcast reconsider this decision.

Section 623 of the Communications Act requires that cable operators offer local broadcast stations and PEG channels, to the extent required by the franchise authority, on the basic service tier. As one of the principal authors of that Act and Chairman of the Committee on Energy and Commerce at the time, I filed the Committee Report with the full House. In the report, the Committee stated:

*PEG access programming is an important complement to local commercial and non-commercial broadcasting to ensure that the government's compelling interests in fostering diversity and localism, providing educational and informational programming, and promoting the basic, underlying values of the First Amendment are advanced by cable television. It has been demonstrated that where PEG channels exist, these interests have been well served. . . . **Because of the interests served by PEG channels, the Committee believes that it is appropriate that such channels be available to all cable subscribers on the basic service tier and at the lowest reasonable rate.**" (emphasis added). H. Rpt. 102-628, at 85 (1992).*

Your intent to charge consumers as much as an additional \$4.20 a month per television set to receive PEG channels is plainly inconsistent with Congressional intent that PEG channels be made available "at the lowest reasonable rate." While I am sympathetic to your desire to provide additional services to your customers, it is important that you do so without denying my constituents reasonable access to the important programming provided by PEG channels and without treating PEG channels differently from local broadcast channels when both are required by statute to be part of Comcast's basic tier of service.

While Comcast apparently has agreed to provide each affected household with one set-top box free of charge for one year, it appears that after that time, subscribers will have to pay an additional monthly fee to rent the equipment needed to view the PEG channels. Moreover, subscribers with more than one television set connected to cable will be required to begin renting set-top boxes for those additional sets immediately for PEG channel access. Because I have long appreciated the value that PEG channels bring to the local community, I find this news very troubling.

In light of these concerns, please inform this Committee in writing by January 7, 2008, as to how Comcast plans to proceed in a manner that is consistent with the Congressional intent and protects the public interest.

Sincerely,

*JOHN D. DINGELL
CHAIRMAN*

*cc: The Honorable Jennifer Granholm, Governor
State of Michigan*

*The Honorable John C. Hieftje, Mayor
City of Ann Arbor, Michigan*

*Mr. John P. Gardner, Government Affairs Manager
Comcast, Michigan Region*

*The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce*

*The Honorable Edward J. Markey, Chairman
Subcommittee on Telecommunications and the Internet*

*The Honorable Cliff Stearns, Ranking Member
Subcommittee on Telecommunications and the Internet*

*The Honorable Kevin J. Martin, Chairman
Federal Communications Commission*

*The Honorable Jonathan S. Adelstein, Commissioner
Federal Communications Commission*

*The Honorable Michael J. Copps, Commissioner
Federal Communications Commission*

*The Honorable Deborah Taylor Tate, Commissioner
Federal Communications Commission*

*The Honorable Robert M. McDowell, Commissioner
Federal Communications Commission*

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PLEASE DO NOT RESPOND TO THIS EMAIL. IF YOU HAVE ANY QUESTIONS CALL (202) 225-5735. THANK YOU.