



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

The Commission issued a *Notice of Proposed Rulemaking* in 2011, seeking comment on a variety of revisions to the program carriage rules in order to improve Commission procedures and further advance the goals of Section 616. Your letter adds a valuable contribution to the Commission's consideration of this issue.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a horizontal line.

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

JULIUS GENACHOWSKI
CHAIRMAN

September 27, 2012

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walden:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Charles Bass
U.S. House of Representatives
2350 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Bass:

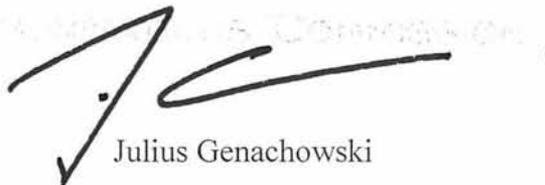
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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Brian Bilbray
U.S. House of Representatives
2410 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Bilbray:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Marsha Blackburn
U.S. House of Representatives
217 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Blackburn:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mary Bono Mack
U.S. House of Representatives
104 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Bono Mack:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Michael Burgess
U.S. House of Representatives
2241 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Burgess:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cory Gardner
U.S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Phil Gingrey
U.S. House of Representatives
442 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gingrey:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Michael Grimm
U.S. House of Representatives
512 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Grimm:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Brett Guthrie
U.S. House of Representatives
308 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Guthrie:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Gregg Harper
U.S. House of Representatives
307 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Harper:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Adam Kinzinger
U.S. House of Representatives
1218 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kinzinger:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Leonard Lance
U.S. House of Representatives
426 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Lance:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Robert E. Latta
U.S. House of Representatives
1323 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Latta:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cynthia M. Lummis
U.S. House of Representatives
113 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Lummis:

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Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Jim Matheson
U.S. House of Representatives
2434 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Matheson:

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

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

Dear Congressman McKinley:

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cathy McMorris Rodgers
U.S. House of Representatives
2421 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman McMorris Rodgers:

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Tim Murphy
U.S. House of Representatives
322 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Murphy:

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

JULIUS GENACHOWSKI
CHAIRMAN

September 27, 2012

The Honorable Sue Myrick
U.S. House of Representatives
230 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Myrick:

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FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Pete Olson
U.S. House of Representatives
312 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Olson:

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

JULIUS GENACHOWSKI
CHAIRMAN

September 27, 2012

The Honorable Joseph R. Pitts
U.S. House of Representatives
420 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Pitts:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mike Pompeo
U.S. House of Representatives
107 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Pompeo:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Denny Rehberg
U.S. House of Representatives
2448 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Rehberg:

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September 27, 2012

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CHAIRMAN

The Honorable Mike Rogers
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Dear Congressman Rogers:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

The Commission issued a *Notice of Proposed Rulemaking* in 2011, seeking comment on a variety of revisions to the program carriage rules in order to improve Commission procedures and further advance the goals of Section 616. Your letter adds a valuable contribution to the Commission's consideration of this issue.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski".

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mike Ross
U.S. House of Representatives
2436 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Ross:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Steve Scalise
U.S. House of Representatives
429 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Scalise:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John M. Shimkus
U.S. House of Representatives
2452 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Christopher H. Smith
U.S. House of Representatives
2373 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cliff Stearns
U.S. House of Representatives
2306 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Stearns:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John Sullivan
U.S. House of Representatives
434 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Sullivan:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Lee Terry
U.S. House of Representatives
2331 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Terry:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 27, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Ed Whitfield
U.S. House of Representatives
2368 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Whitfield:

Thank you for your letter expressing concern about the Commission's program carriage rules. Your views are very important and will be included in the record of the proceeding.

Under the rules it has adopted implementing Section 616 of the Communications Act, the Commission considers complaints of program carriage discrimination on a case-by-case basis, focusing on the particular facts of each complaint. The statute and the Commission's rules prohibit affiliation-based discrimination that unreasonably restrains the ability of unaffiliated networks to compete fairly. Thus, a showing of anticompetitive discrimination is required in every case.

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Sincerely,

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Julius Genachowski