



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

June 16, 2015

The Honorable John Delaney  
U.S. House of Representatives  
1632 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Delaney:

Thank you for your letter regarding the Federal Communications Commission's (Commission) requirement to put forth rules on market modification for implementing the Satellite Television Extension and Localism Act Reauthorization (STELAR) Act. I also thank you for your view expressing concern about whether residents of Garrett County, Maryland, will have the opportunity to achieve a market modification. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

STELAR was enacted in December 2014, and Section 102 of this law gives the Commission authority to modify a commercial television station's local television market for purposes of satellite carriage rights. Prior to the enactment of STELAR, the Commission had authority to modify markets only in the cable carriage context. The Commission proposes to apply the existing cable rule to the satellite carriage context, while adding rules to address the unique nature of satellite television service.

On March 16, 2015, the Commission adopted a Notice of Proposed Rulemaking, which seeks comment on many of the rules necessary for implementing STELAR, including the issue you raise as to how satellite subscribers can meaningfully advocate for receipt of in-state programming via satellite. I am hopeful that the proposed rules will offer an opportunity for satellite subscribers in so-called "orphan counties," like Garrett County, to receive in-state stations via satellite. However, the ability of the market modification provision to successfully address orphan county problems in specific communities will depend in large part on satellite carriers' technical and financial ability to provide the in-state stations to those areas. The comment period for this proposal has ended, and Commission staff is currently reviewing the record in its entirety. The Commission is under a statutory deadline to adopt these rules by September 4, 2015.

I appreciate your interest in this matter. I understand how deeply Garrett County residents care about receiving their in-state political news, sports, public affairs programming, and employment information, and I assure you the Commission is working diligently to achieve that goal. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", written over a horizontal line.

Tom Wheeler