

HOUSE COMMITTEE ON FINANCIAL SERVICES

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SUBCOMMITTEE ON OVERSIGHT AND  
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May 18, 2015

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Chairman Tom Wheeler  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Dear Chairman Wheeler:

I would like to call your attention to an issue facing my constituents in Garrett County, Maryland. Garrett County is located in the far-western part of the state near Pennsylvania and West Virginia. Although Garrett is not close to the major population areas in Maryland, it is important that its residents feel connected to the state where they work, pay taxes, vote, and educate their children. I understand that the FCC will be putting forth a final rule based on the market modification requirements established in the Satellite Television Extension and Localism Act Reauthorization (STELAR). I have reviewed the Notice of Proposed Rule Making issued by your agency and I remain skeptical that Garrett County residents will have the opportunity to view in-state television. I hope that this letter will formally address my concerns.

Due to the Designated Market Areas (DMA) used by the Federal Communications Commission (FCC) to determine local television market structure, most Garrett County residents are unable to receive access to critical information about the state in which they live. Garrett County residents are located in the Pittsburgh, Pennsylvania DMA and are forced to view local television that targets this audience. As a result, Garrett is considered an "Orphan County," meaning that County residents are unable to receive coverage of Maryland political news, sports, public affairs programming, and employment information. I have heard from many of my constituents on this subject who are extremely frustrated with the current DMA designations. I stand with my constituents who are calling for a resolution.

I am encouraged by the new rules passed by Congress under STELAR in December of 2014. Many of my constituents who use satellite television may now have the opportunity to petition

the FCC for a market modification to view Maryland programing. However, I remain concerned that Garrett County will continue to be an "Orphan County" due to the "economic infeasibility exceptions" for satellite companies that are established in STELAR. It is my hope that the FCC will put forth a final rule that establishes a reasonable set of criteria for orphan counties to qualify for a market modification and to make sure that the infeasibility criteria does not restrict substantial access to market modifications. I want all Marylanders to have access to Maryland television and it is my hope that the new rules established by STELAR will be a successful step forward.

On behalf of my constituents, I look forward to continuing to work on this issue. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "John K. Delaney". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John K. Delaney  
Member of Congress