



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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NEWS MEDIA CONTACT:
Janice Wise (202) 418-8165
Email: Janice.Wise@fcc.gov

FCC PROPOSES \$2.25 MILLION FORFEITURE AGAINST TV MAX, INC. FOR RETRANSMISSION CONSENT VIOLATIONS

Washington, D.C.– The Federal Communications Commission today proposed a forfeiture of \$2.25 million against a company that operates a cable system in Houston, Texas, for retransmitting the signals of six television broadcast stations without their consent.

The Commission’s Media Bureau launched an investigation of TV Max, Inc. (doing business as “Wavevision”), and other related entities, based on complaints from four major television broadcasters alleging that TV Max retransmitted their stations’ signals without permission. The Commission found TV Max’s violations to be very serious, warranting a substantial penalty, given the longstanding unauthorized carriage that continued even after the Bureau warned TV Max about its actions.

The Commission rejected TV Max’s argument that it does not need broadcasters’ consent to carry the television signals because its action falls within a narrow exception in the Commission’s rules, the so-called “MATV exception.” The exception provides that in limited circumstances cable operators do not need broadcasters’ consent to retransmit broadcast signals to building residents when the signals are received by master antenna television (“MATV”) facilities. The Commission found that, because TV Max is providing broadcast signals received at its off-site cable headend, it must obtain consent to retransmit the broadcast signals.

The full text of the Notice of Apparent Liability for Forfeiture is available at www.fcc.gov.

Action by the Commission June 24, 2013, by Notice of Apparent Liability for Forfeiture and Order (FCC 13-86) Chairwoman Clyburn, Commissioners Rosenworcel and Pai.

For further information, contact Evan Baranoff (202-418-7142; evan.baranoff@fcc.gov) <mailto:of> of the Media Bureau, Policy Division. Press contact: Janice Wise (202-418-8165; janice.wise@fcc.gov).

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