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CABLE SERVICES BUREAU
September 24, 2000

Ms. Deborah Lathen
Federal Communications Commission
Cable Service Bureau
445 - 12th St. S.W.
Room 8B201
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Lathen:

I am writing to urge the Commission to disapprove the merger between Time-Warner and AOL. I see numerous ways in which this much consolidation of media power would be against the public interest.

Around May 1 Time-Warner of Tampa Bay peremptorily dropped C-SPAN 2 from its cable channel from 8:00 P.M. until 8:00 A.M., making C-SPAN 2 unavailable to Tampa-St. Petersburg-Clearwater viewers during the important evening and night-time hours. All politician coverage of the Senate during this important election year is thus unavailable to viewers in this large media market during evening and night-time hours, including re-broadcasts of the major political candidates and parties.

In addition to its coverage of the U.S. Senate, C-SPAN 2 also carries some of the finest, most illuminating programming available anywhere in their 48-hours of weekend programming in their "Book TV," which features presentations by authors of recent books, concentrating on political, social, and judicial issues. This programming is a veritable treasure, and is without peer in its quality and informative value, and in promoting intelligent citizenship. This programming, too, is now cut from the air at 8:00 P.M., until the following morning, resulting in these outstanding programs being unavailable in this large geographic area.

When Time-Warner dropped Disney in May, Disney had sufficient clout to fight back, and the FCC determined that Time-Warner violated communications law in dropping Disney, resulting in restoration of Disney programming. Unfortunately, C-SPAN does not have the clout and power of Disney, and efforts to get Time-Warner of Tampa Bay to restore C-SPAN 2 to 24-hour coverage have been to no avail. The executives at Time-Warner were not even familiar with the weekend "About Books" programming they have deprived viewers from seeing. When the plug gets pulled on C-SPAN 2, often mid-program, at 8:00 P.M. sharp, the channel that has formerly been dedicated to C-SPAN 2 is replaced with E!, a Comcast-owned entertainment-celebrity program that has been likened to People Magazine on the air.

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C-SPAN and C-SPAN 2 are different from all other programming on television. In this day of sound bites and sketchy coverage of underlying political issues, the two C-SPAN networks provide a vitally important opportunity for citizens to be familiar with the goings-on of their government and their elected officials. This programming should be available full-time on all broadcast and cable channels as a minimal public-interest requirement,

C-SPAN is referred to in their promotional ads as "The Cable Industry's Gift to America," and as "Information for Democracy." These ads air continually, even now, on other Time-Warner-owned stations including CNN. Even while promoting their carriage of C-SPAN, and proclaiming their public service mission in doing so, they have nonetheless cut C-SPAN 2 from the air during the main viewing half of the time-cycle (8 P.M.- 8 A.M.)

This cutting of C-SPAN 2 is not limited to the Tampa Bay area. There are other areas in Florida, and nation-wide, in which Time-Warner is cutting or has cut C-SPAN 2. during this election year. While I do not know the full extent of Time-Warner's cutting of C-SPAN, it seems to be extending. Time-Warner has made such cuts in the Daytona-Melbourne-Orlando area, and in Raleigh, NC.

Concentrating more power and control of content into a larger, stronger media conglomerate, through this ill-advised merger, would clearly be contrary to the public's interest. ***The public depends upon the FCC to safe-guard its interest.*** Disney has the clout to successfully fight back with Time-Warner. C-SPAN viewers do not, and must rely upon the watchdog functions of the FCC.

I therefore urge the FCC to disapprove this merger. ***If*** the merger should be approved, stringent restrictions should be placed upon the resulting corporation, including the requirement that C-SPAN and C-SPAN 2 be carried 24-hours a day. But I fear that, despite the imposition of such restrictions, unanticipated ways will eventuate by which the public interest will be suborned by profit-driven programming changes that will deprive the public of the programming and information that they need and deserve to preserve and promote an adequately-informed citizenry.

Yours truly,

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