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The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St., SW, Room TW-A325  
Washington, DC 20554

May 27, 2011

RE: MB Docket No. 10-71

Dear Chairman Genachowski:

Consumer Action<sup>1</sup> is pleased that the Commission is considering a framework for dealing with transmission disputes and preserving the rights of cable consumers to get the programming they pay for and expect to be able to view. We urge the Commission to act swiftly to reform outdated retransmission consent rules.

*When consumers pay for a service, they have every right to expect that it will be delivered, as expected and uninterrupted.*

Retransmission fees have caused consumer prices to increase year after year. Consumers must no longer be put in the middle of disputes between programmers and distributors. Consumer Action calls for a fair and just framework for settling retransmission disputes without adverse impact to consumers.

Programmers have not shown good faith. Blackouts or threat of blackouts timed to coincide with program events such as the Academy Awards, the Super Bowl and other key sporting events, are a transparently coercive tactic that causes consumer harm.

Programming should not be compromised for responsible consumers who pay their cable or satellite bills on time. Consumers should not be forced to switch providers because big companies can't get deals done on time.

Providing more notice to consumers of potential blackouts (on top of current requirements and news coverage) is not a viable solution. Such notice would simply cause more disruption and anxiety, and cause customers to switch service when they don't have to, incurring unnecessary costs.

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<sup>1</sup> *Through multilingual financial education materials, community outreach, and issue-focused advocacy, Consumer Action empowers underrepresented consumers nationwide to assert their rights in the marketplace and financially prosper.*

Regulations that give broadcasters the upper hand in negotiations are no longer needed. The Commission has broad authority over broadcasting and must act decisively to solve this thorny issue. Failure to protect consumers from blackouts, and threats to blackout broadcast programming, is not in the public interest.

Consumer Action calls on the Commission to require continued carriage of broadcast signals during negotiations or disputes, so that consumer programming is uninterrupted. We urge the FCC to act quickly to end this adverse effect on consumer rights.

Sincerely,

Linda Sherry

A handwritten signature in cursive script that reads "Linda Sherry". The signature is written in black ink and is positioned below the typed name.

National Priorities Director