

May 23, 2016

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

RE: MB Docket No. 16-42 – In the Matter of Expanding Consumers’ Video Navigation Choices

CS Docket 97-80 – Commercial Availability of Navigation Devices

Dear Chairman Wheeler,

As racial justice leaders and independent content creators, we are writing to urge the Federal Communications Commission to adopt rules that would open up competition in the set-top market.

Creating a competitive set-top box market would provide significant financial relief for millions of households in our communities who pay a monthly cable bill and still have little choice but to rent a box from their cable provider. It would also allow people in our communities to access culturally relevant content created by video programmers of color.

It is critical for the FCC to take action now. The cable industry for decades has thwarted efforts to create a competitive set-top box market in order to protect its profits, and now it does so too in order to prevent greater competition from online video programmers.

We urge the FCC to move forward with rule changes that give households in our communities greater choice to watch the programming they want on any device and platform they choose.

While anyone can easily purchase a cellphone, computer or TV from various manufacturers, this has not been the case when it comes to purchasing a set-top box.

According to Senators Markey and Blumenthal, 99 percent of all pay-TV subscribers still rent their set-top boxes from their cable providers. This has resulted in the industry raking in nearly \$20 billion annually in revenue while the average pay-TV household spends \$231 a year on set-top rentals.

This is one reason the industry has fiercely fought to maintain its monopoly control over the set-top box market.

The proposed rules would allow third-party manufacturers to create set-top boxes and apps that allow devices to integrate a customer's pay-TV content seamlessly with online streaming video programming.

This is critical for our community since it would allow online video programmers of color to find an audience, bypassing cable industry gatekeepers yet still gaining access to more viewers and screens.

In addition, it would also allow households in our community to find culturally relevant programming and view it on their main television screens at home. The amount of Internet video consumed by Asian American, Black and Latino communities continues to grow significantly. The time that people of color spent watching Internet video in the last quarter of 2015 far surpassed the time spent on Internet video by the general population. Black, Latino and Asian American people watched from 40 to 55 percent more Internet video than the population as a whole. Year over year growth in online viewing for some of these communities was nearly three times as fast as it was for the population as a whole.¹

For too long, people of color have been excluded and marginalized in the media. Today, communities of color own few broadcast stations and cable networks, which has prevented members of these communities from telling their own stories.

The proposed rules will not only save households in our communities hundreds, if not thousands of dollars during the lifetime of their pay-TV subscriptions, but will also provide greater opportunity for communities of color to create and receive the programming that they need and deserve.

Sincerely,

18 Million Rising
Access Humboldt
Alliance for Community Media
Center for Media Justice
Center for Rural Strategies
Chinese Progressive Association – San Francisco
Color of Change
Common Cause
Common Frequency
Community Technology Network

¹ Nielsen, *The Total Audience Report 2015 Q 4*, Table 3A (Mar. 24, 2016), available at <http://www.nielsen.com/content/dam/corporate/us/en/reports-downloads/2016-reports/q4-2015-total-audience-report.pdf>

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National Alliance for Media Arts and Culture
National Korean American Service & Education Consortium
Open Access Connections
People's Press Project
Philly Cam
Presente.org
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