



November 12, 2019

The Honorable Deb Fischer
454 Russell Senate Office Building
Washington, DC 20510

Dear Senator Fischer:

On behalf of our respective companies, we write to respectfully request that you reconsider your proposed amendment to S. 2789 that would require direct broadcast satellite providers to offer service in all 210 DMAs before offering a distant network signal to recreational vehicles and commercial trucks. This amendment has the potential to impair the ability independent programmers to gain carriage in an extraordinarily competitive video marketplace.

Existing competition in the video marketplace - particularly amongst the two DBS providers AT&T and Dish Network - provides sufficient competitive pressure to force the carriage of local broadcast television signals vis-a-vis consumer demand. There is not a market failure that requires any government intervention. If consumers in the twelve DMAs without local-into-local service from AT&T want to receive their local broadcast channels, they can simply subscribe to Dish Network or one or more cable providers.

Additionally, your amendment harms independent programmers in three ways. First, satellite television bandwidth is finite. Using government regulation to force the carriage of scores of additional broadcast television channels limits the available bandwidth for independent networks, the unique and diverse voices in the pay-TV lineup.

Second, forcing the carriage of additional broadcast television channels could require significant capital expenditures from AT&T, such as the launch of additional satellites. In the highly competitive video marketplace these capital expenditures cannot be passed along to consumers and would likely result in the erosion of programming budgets. History has shown that independent programmers disproportionately bear the brunt of more limited programming resources via a reduction in licensing fee or being dropped altogether.

Finally, your amendment is punitive to large numbers of DBS subscribers that enjoy satellite television content in their recreational vehicle or commercial truck. Denying these subscribers access to a distant network signal is likely to result in subscription cancellations. And while that might be the intended effect of this amendment in an attempt to force AT&T's hand, independent programmers that are paid a monthly license fee based on subscriber counts will be the collateral damage.

For these reasons, we hope that you will consider withdrawing your amendment to S. 2789. Independent programmers are not asking for a government handout. We fiercely compete in an incredibly competitive marketplace. All we ask is that Congress does not intervene in a way that would disadvantage the programmers with the least leverage.

Thank you for your consideration.

Sincerely,



Craig Morris
President
RIDE TV



James Brown
EVP, Content Distribution & Marketing
REVOLT MEDIA & TV



Jorge Fiterre
President and Founder
Condista Networks