



NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY

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American Values. Hometown Roots.

November 30, 2018

The Honorable Bob Goodlatte
Chairman, House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Jerry Nadler
Ranking Member, House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Nadler:

On behalf of the 150,000 members of The National Grange, we believe it is in American consumers' best interest for Comcast and NBC-Universal to permanently operate under its 2011 merger conditions. The U.S. Department of Justice should take immediate steps to make the expiring merger conditions permanent in order to protect rural consumers from paying higher prices and having limited options in how they access video programming.

Of the many required remedies previously imposed on Comcast/NBCU, three stand out as having real value for consumers.

First, it is imperative Comcast continue to operate under a binding arbitration agreement to settle program access disputes. This requirement is undeniably necessary, so rival firms are able to settle potential disputes through legal means over cost or carriage of NBCU programming.¹ This remedy is particularly important for small and rural cable systems that lack the resources, time and money to negotiate on reasonable basis with a massive media conglomerate such as Comcast/NBCU. Without an

¹ Federal Communications Commission, *Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc.*, January 20, 2011. Accessed at <https://docs.fcc.gov/public/attachments/FCC-11-4A1.pdf>. "If negotiations fail to produce a mutually acceptable set of price, terms and conditions for a Carriage Agreement with one or more C-NBCU Programmers, an MVPD or Bargaining Agent may choose to submit a dispute to commercial arbitration in accordance with the procedures in Section VII below."

arbitration process in place, these rival video distributors cannot compete if they have to pay NBCU's high fees, and they need a process that gives them a fair opportunity to access on a reasonable basis.

Second, if vertical integration of media companies is going to continue, there must be sensible safeguards in place that will protect consumers from high prices and inaccessibility to programming. We are especially concerned that without conditions in place, consumers will be blocked from watching programming online or be forced to pay additional fees to watch programming on Comcast/NBCU's websites.

Third, in granting access to its cable systems, Comcast favors its own networks over independent programmers. Not only is Comcast unfairly blocking its competition, it is also making the decision for the consumer about what programming they prefer. Unfortunately, without gaining carriage by Comcast, an independent programmer cannot sustain a profitable operation. By mandating a process for carriage, the DOJ would enhance consumer choice and halt viewpoint discrimination.

Leaving Comcast/NBCU free from oversight will harm consumers, cut off rural America from critical cable and programming services, and empower Comcast/NBCU to continue its hold on the market. We urge you to make Comcast/NBCU's 2011 merger conditions permanent before it's too late.

Sincerely,

A handwritten signature in cursive script that reads "Betsy E. Huber".

Betsy Huber
President