

U. S. House of Representatives
Washington, D. C. 20515

February 16, 2016

The Honorable Tom Wheeler, Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Chairman Wheeler,

We write to you today regarding the Commission's review of the set-top box market and the future of the video marketplace.

As champions for giving consumers an alternative to renting a set-top box from their pay-TV provider each month, we believe the Commission must preserve competitive choice as required under Section 629 of the Communications Act. Because of the lack of competition in the set-top box space, consumers today are paying on average a whopping \$231 per year on rental fees alone. First and foremost, injecting new competition into the marketplace will save consumers money and pave the way for innovative retail alternatives to set-top boxes leased by pay-TV providers. These rental costs present an even higher burden for so many in minority communities.

In 2014, as part of the STELA Reauthorization Act (STELAR), Section 106 set in motion a repeal of the integration ban and with it, the establishment of a stakeholder working group aimed at finding a successor solution. The carefully crafted compromise which resulted in the creation of the Downloadable Security Technology Advisory Committee (DSTAC), delayed repeal of the ban by one year and preserved the obligation to promote the competitive availability of set-top boxes under Section 629.

As the Commission prepares to vote on the proposal you circulated on January 27th, we urge you to ensure that the agency maintains its statutory obligation to give consumers an alternative to having to rent a set-top box from their pay-TV provider every month. We believe this goal can and should be achieved without reverting to the "AllVid" proposal included in the 2010 National Broadband Plan.

We also understand that some have suggested that Commission action would threaten diverse programming and harm minority voices. We believe competitive alternatives to the rented set-top box will in fact enhance opportunities for independent programmers to reach consumers by improving search functionality and user interfaces.

Finally, while we agree that apps offer consumers another option for watching video programming, they may not necessarily provide the same features and functionality that are available through a pay-TV provider's leased set-top box. We believe the recommendations

contained in the DSTAC report are intended to ensure consumers have the broadest array of competitive options which may include, but should not be limited to apps. Ultimately a level playing field will enable competitors to innovate and give consumers the power to choose how to best access their favorite video programming.

Thank you for your leadership and commitment to advance a solution that promotes greater competition, consumer choice and innovation.

Sincerely,



Anna G. Eshoo
Member of Congress



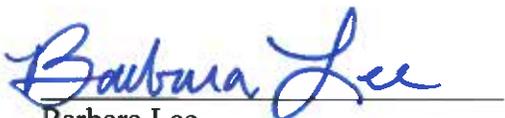
Zoe Lofgren
Member of Congress



Michael M. Honda
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



Barbara Lee
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Raúl M. Grijalva
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Louise Slaughter
Member of Congress



Rubén Hinojosa
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Chellie Pingree
Member of Congress



Mike Thompson
Member of Congress



Janice Hahn
Member of Congress

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O’Rielly, Commissioner