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## The issue:

A decade-old proceeding at the Federal Communications Commission (FCC) could impact local television broadcasters' ability to invest and serve audiences with uniquely local and trusted information; however, it doesn't include up-to-date marketplace information regarding the rise, and increasing influence, of digital distribution platforms.

## The background:

- Currently, a cable system or other multichannel video programming distributor (MVPD) must gain consent from a local broadcast station before retransmitting its signal. This system, known as "retransmission consent," has driven unparalleled investment in local television content, resulting in abundant, locally focused programming choices and services for viewers.
- Without the ability to negotiate for the value of their signals, local stations would struggle to keep pace in an incredibly competitive marketplace. It would also lead to less choice for viewers and fewer resources for stations to invest in local news, public affairs programming, emergency weather events and community activities.

In 2014, the FCC initiated a proceeding and proposed modernizing the definition of MVPDs to include streaming platforms that offer linear multichannel programming (but not video-on-demand).

- The proceeding further asked whether virtual MVPDs, or "vMVPDs," should be on equal regulatory footing with facilities based MVPDs, such as cable and satellite systems, including with respect to retransmission consent.
- The FCC's vMVPD proceeding is still open more than nine years later and significant marketplace developments have occurred. For example, the top streaming platform, YouTube (including vMVPD YouTube TV), is owned by one of the largest Big Tech platforms.
- Other virtual distributors offering linear multichannel programming include Sling TV and DirecTV Stream. In many instances, these companies are actively urging consumers to switch from their traditional MVPD to their vMVPD offering.
- As consumers increasingly rely on these digital streaming platforms, local broadcasters support the FCC refreshing its record with updated marketplace information, including the proposal's effect on competition, localism and diversity.



## The FCC Should Seek Updated Input on The Impact of Virtual MVPDs

### The bottom line:

The FCC's vMVPD proceeding raises important questions about the need for regulatory symmetry and policies that enable delivery of unique local content to communities across the country. Recognizing that the video service landscape has changed dramatically since the FCC started its proceeding, Senator Maria Cantwell, Chair of the Senate Committee on Commerce, Science, and Transportation, has urged the FCC to refresh its record "to reflect the growing amount of video services that are provided over the Internet."

**Congress should continue to encourage the FCC to refresh its record in this proceeding to better reflect current marketplace realities.**