



October 3, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

Dear Chairman Genachowski:

We have just entered a new election cycle when local broadcasters must choose either must-carry or retransmission consent carriage from the multichannel video programming distributors (MVPDs) in their local markets. My members have asked me to assure you that broadcasters remain committed to serving local viewers by reaching fair and timely retransmission consent agreements with our MVPD partners.

Specifically, three bases guide our members' approach to retransmission consent: (1) our desire to serve local audiences; (2) our need to negotiate for fair compensation that supports quality programming; and (3) our belief that retransmission negotiations should remain private and market-based. In every retransmission cycle, broadcasters work diligently and have very strong incentives to reach timely agreements. Over the years, broadcasters have effectively negotiated thousands of retransmission consent agreements. And during the coming months, NAB members will again successfully negotiate numerous retransmission consent agreements affecting hundreds of stations, cable systems and other MVPDs, and most importantly, millions of viewers. To serve their local audiences, broadcasters are committed to fairly negotiating these myriad agreements.

I call on all parties to stay focused on concluding agreements through marketplace negotiations, rather than through calls for unnecessary government intervention or overheated rhetoric in company press releases. Even indications of government intervention in these private, market-based negotiations can impede their progress and slow their completion. The mere prospect of government intervention introduces uncertainty and distorts incentives in ways that disrupt the bargaining process and only make it more difficult to reach fair and equitable arrangements.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. H. Smith', written in a cursive style.

Gordon H. Smith  
President and CEO

cc: Commissioner Michael J. Copps, Commissioner Robert McDowell, Commissioner  
Mignon Clyburn

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