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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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December 21, 2007

DENNIS B. FITZGIBBONS, CHIEF OF STAFF  
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Mr. Brian L. Roberts  
President and CEO  
Comcast Corporation  
1500 Market Street, 35<sup>th</sup> floor  
East Tower  
Philadelphia, PA 19102

Dear Mr. Roberts:

I write to express great concern over a recent decision by your company. It appears that many Comcast subscribers in my district and elsewhere in Michigan will be required to install an additional piece of cable equipment in their homes in order to view public, educational, and governmental channels, known as "PEG" channels. It is my understanding that as of January 15, 2008, Comcast will move PEG channels to its digital tier of service in many Michigan communities, including Ann Arbor and Dearborn. Comcast's analog subscribers will then need a set-top box to be able to view PEG channels. I ask that Comcast reconsider this decision.

Section 623 of the Communications Act requires that cable operators offer local broadcast stations and PEG channels, to the extent required by the franchise authority, on the basic service tier. As one of the principal authors of that Act and Chairman of the Committee on Energy and Commerce at the time, I filed the Committee Report with the full House. In the report, the Committee stated:

PEG access programming is an important complement to local commercial and non-commercial broadcasting to ensure that the government's compelling interests in fostering diversity and localism, providing educational and informational programming, and promoting the basic, underlying values of the First Amendment are advanced by cable television. It has been demonstrated that where PEG channels exist, these interests have been well served. . . . **Because of the interests served by PEG channels, the Committee believes that it is appropriate that such channels be available to all cable subscribers on the basic service tier and at the lowest reasonable rate.**" (emphasis added). H. Rpt. 102-628, at 85 (1992).

Mr. Brian L. Roberts

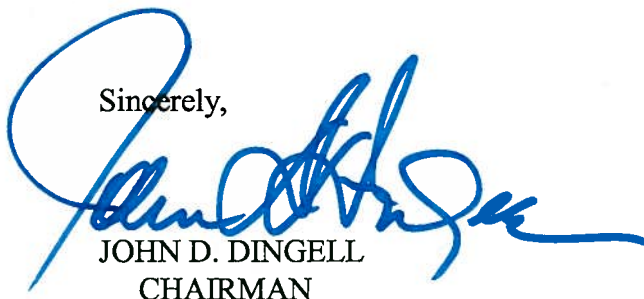
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Your intent to charge consumers as much as an additional \$4.20 a month per television set to receive PEG channels is plainly inconsistent with Congressional intent that PEG channels be made available "at the lowest reasonable rate." While I am sympathetic to your desire to provide additional services to your customers, it is important that you do so without denying my constituents reasonable access to the important programming provided by PEG channels and without treating PEG channels differently from local broadcast channels when both are required by statute to be part of Comcast's basic tier of service.

While Comcast apparently has agreed to provide each affected household with one set-top box free of charge for one year, it appears that after that time, subscribers will have to pay an additional monthly fee to rent the equipment needed to view the PEG channels. Moreover, subscribers with more than one television set connected to cable will be required to begin renting set-top boxes for those additional sets immediately for PEG channel access. Because I have long appreciated the value that PEG channels bring to the local community, I find this news very troubling.

In light of these concerns, please inform this Committee in writing by January 7, 2008, as to how Comcast plans to proceed in a manner that is consistent with the Congressional intent and protects the public interest.

Sincerely,



JOHN D. DINGELL  
CHAIRMAN

cc: The Honorable Jennifer Granholm, Governor  
State of Michigan

The Honorable John C. Hieftje, Mayor  
City of Ann Arbor, Michigan

Mr. John P. Gardner, Government Affairs Manager  
Comcast, Michigan Region

The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable Edward J. Markey, Chairman  
Subcommittee on Telecommunications and the Internet

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The Honorable Cliff Stearns, Ranking Member  
Subcommittee on Telecommunications and the Internet

The Honorable Kevin J. Martin, Chairman  
Federal Communications Commission

The Honorable Jonathan S. Adelstein, Commissioner  
Federal Communications Commission

The Honorable Michael J. Copps, Commissioner  
Federal Communications Commission

The Honorable Deborah Taylor Tate, Commissioner  
Federal Communications Commission

The Honorable Robert M. McDowell, Commissioner  
Federal Communications Commission