Multichannel Video Compliance Guide: Broadband Law & Regulation

THOMPSON

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New Entrants in Texas Cable Markets Can Obtain Statewide Franchise

Texas has become the first state to permit a single statewide franchise provision for companies entering the cable television business. Under legislation signed by Gov. Rick Perry (R) on Sept. 7, new entrants into Texas' video, cable and telecommunications markets now can obtain a state-issued, statewide cable and video franchise from the Texas Public Utility Commission instead of having to obtain franchises from individual municipalities.

[Newsletter in separate section]

Proponents of the law, including SBC and Verizon, claim it will usher in new competitors and create better competition for video, cable and telecommunications services. Cable companies still bound to individual franchises with local municipalities opposed the law and filed suit after it was signed. *Page 2*

New Draft Telecom Bill Introduced

Bipartisan draft telecommunications legislation released by the House Energy and Commerce Committee would take a significantly different approach to high-speed video services than other legislation currently pending in the House and Senate.

Hearings are expected on a draft bill created by the staffs of Energy and Commerce Chairman Joe Barton, R-Texas, and ranking member John Dingell, D-Mich., with the participation of three other senior members of the panel: Telecommunications and the Internet Subcommittee Chairman Fred Upton, R-Mich., subcommittee ranking member Edward Markey, D-Mass., and Rep. Charles (Chip) Pickering, R-Miss.

A section of the bill that addresses broadband video service would not grant national franchises to communications companies unless they integrate traditional cable services with Internet services, the method currently used by SBC Communications. *Page 3*

FCC Keeps Retransmission Rules, Sets Rules for Alaska and Hawaii

Rules governing television stations' rights to bargain for cable carriage will not be changed, according to a recent report made by the FCC to Congress. In August, the FCC ruled that satellite companies DirecTV and EchoStar Communications must carry all of the multicast digital channels that broadcasters transmit in Alaska and Hawaii. The agency also ruled that satellite companies must carry the stations' HD programs. *Page 6*

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- Add discussion of Supreme Court's *Brand X* ruling to Tab 900

Our New Look

As of this issue, the *Multichannel Video Compliance Guide: Broadband Law & Regulation* newsletter has a new design we hope you will find more useful. Based on feedback from subscribers, we have placed a summary of the main news articles on the front page for your quick, easy reference. More information about what is in this issue appears in the right-hand column. In the months ahead, look for more changes, including columns by guest authors on important topics that affect your job.

We thank you for your loyal support and look forward to continuing to meet your need for insightful, timely guidance on cable and broadband regulation. Please let us know if you have any comments or questions. – *The Editors*

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