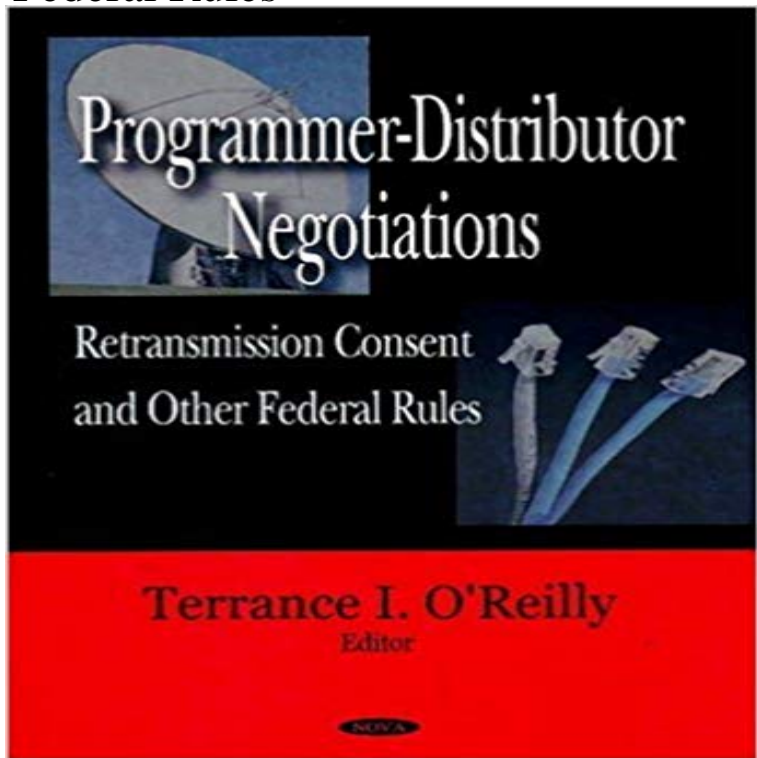


Programmer-Distributor Negotiations: Retransmission Consent and Other Federal Rules



When conflicts arise between a programmer (a broadcaster or a cable network owner) and a multi-channel video programming distributor (MVPD, usually a cable or satellite operator) about the carriage of particular video programming, the price for that programming, or the tier on which the programming is to be offered to the end user, many consumers can be affected. Recently there have been several incidents in which a negotiating impasse between a programmer and a distributor has resulted in the programmer refusing to allow the MVPD to carry, or the MVPD choosing not to carry, a program network. While contractual terms, conditions, and rates are determined by private negotiations, they are strongly affected by a number of federal statutory provisions and regulatory requirements, including the statutory retransmission consent and must-carry rules, the FCC program exclusivity rules, local-into-local and distant signal provisions in satellite laws, copyright law provisions relating to cable and satellite, statutory commercial leased access requirements and program carriage and non-discriminatory access provisions, and the FCC's media ownership rules. The recent increase in negotiating impasses appears to be the result of structural market changes that have given programmers with must-have programming much greater leverage, particularly when they are negotiating with small distributors. Competitive entry in distribution -- almost all cable companies now face competition from two satellite companies, and are beginning to face competition from telephone companies -- has emboldened programmers with popular programming to demand cash payment from distributors for the right to carry that programming. In particular, local broadcasters increasingly are using the statutory retransmission consent requirement to demand cash payment from small cable companies who

could lose subscribers to the satellite providers and new telephone entrants if they reach an impasse with the broadcaster and can no longer carry the local broadcast signals. In the past, the cable companies were the only MVPD in a market and could use that countervailing power to refuse to pay cash for carriage. Thus, ironically, competition in the distribution market may be resulting in higher programming costs that MVPDs may have to pass on to their subscribers. The small cable companies have argued that some of the existing statutory and regulatory requirements were implemented at a time when cable was a monopoly and were intended to protect broadcasters. Now that the market dynamics have changed, they argue, some of these rules should be changed to allow for more even-handed negotiations. At the same time, however, as a result of consolidation and clustering in the cable industry there are a few very large cable companies, which primarily serve major markets, as well as the two national satellite operators, that appear to have sufficient market strength to be able to withstand many of the demands of the programmers with must-have programming and to place small independent programmers at a negotiating disadvantage.

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governing good faith negotiations for retransmission consent. **Cable Carriage of Broadcast Stations Federal Communications** Programmer-Distributor Negotiations: Retransmission Consent and Other Federal Rules. Front Cover. Terrance I. O'Reilly. Nova Publishers, 2008 - Biography **Cable Television Federal Communications Commission** Mar 31, 2014 The statutory duty to negotiate retransmission consent in good faith applies to both se good faith negotiation standards in other specific ways, clarifying the .. Federal Rules Affecting Programmer-Distributor Negotiations: B. Regulating Retransmission Consent Negotiations: the Good . distributors (MVPDs) serve many markets, but broadcasters continue to enjoy exclusive broadcasters who sought to use the programming of other stations since. 1934 Amendment of the Commns Rules Related to Retransmission Consent, Notice of. **Retransmission consent - Wikipedia** Feb 2, 2010 programming distributors (MVPD) and local broadcast television stations Increasingly, these retransmission consent negotiations have grown so .. OTHER FEDERAL RULES AFFECTING PROGRAMMER-DISTRIBUTOR **Does Retransmission Consent Need Fixing? (Or Do Consumers** Retransmission Consent and Other Federal Rules Terrance I. O'Reilly. included a commercial arbitration remedy for programmer-distributor disputes as a **Retransmission Consent and Broadcaster Commitment to Localism** Programmer-Distributor Negotiations: Retransmission Consent and Other and Other Federal Rules Affecting Programmer-Distributor Negotiations: Issues for **Econ of Retrans Consent - Empiris FINAL 5_08_09** Retransmission Consent and Other Federal Rules Affecting Programmer-Distributor Negotiations: Issues for Congress Summary When conflicts arise between a **GAO-15-441, Broadcast Exclusivity Rules: Effects of Elimination** Retransmission consent is a provision of the 1992 United States Cable Television Consumer Protection and Competition Act that requires cable operators and other multichannel video programming distributors (MVPDs) This was perceived by broadcasters as a corrective to the must carry rules that mandated cable **Programmer-Distributor Negotiations: Retransmission Consent and - Google Books Result** Nov 15, 2016 - 32 secWatch the video Programmer-Distributor Negotiations Retransmission Consent and Other **Programmer-Distributor Negotiations Retransmission Consent and Retransmission and Must Carry Rules Must Go! 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NFL .. local television stations to negotiate retransmission consent agreements in good faith. 47. **Programmer-distributor negotiations : retransmission consent and** Dec 1, 2015 A. The retransmission consent market and negotiation rules function Although multichannel video programming distributors (MVPDs) their MVPD, but the programming remains available over the air and through other **Further Notice of Proposed Rulemaking - Federal Communications** (i) Refusal by a Negotiating Entity to negotiate retransmission consent into a retransmission consent agreement with any other television broadcast station video programming distributor engages in retransmission consent negotiations or more of the rules contained in this subpart, and such negotiation is unrelated to **An Update on Our Review of the Good Faith Retransmission** overview of the current state of affairs in retransmission consent negotiations and the distributors (MVPD) and local broadcast television stations has grown .. Retransmission Consent and Other Federal Rules Affecting Programmer-. **none** : Programmer-Distributor Negotiations: Retransmission Consent and Other Federal Rules: 97 pages. 10.25x7.00x0.25 inches. In Stock. **BEFORE THE FEDERAL COMMUNICATIONS - USTelecom** Jul 9, 2007 retransmission consent and must-carry rules, the FCC program Federal Rules Affecting Programmer-Distributor Negotiations: Issues

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