



New York State Broadcasters Association, Inc.

FILED THROUGH ECFS

July 28, 2020

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Significantly Viewed Stations, MB Docket No. 20-73

Dear Ms. Dortch:

The New York State Broadcasters Association (NYSBA), while taking no position on proposals to alter the way in which stations can demonstrate significantly viewed status or the lack thereof, opposes the proposal submitted in this proceeding by the Massachusetts Department of Telecommunications and Cable (MDTC).¹

The MDTC proposal, which would alter the way in which television markets are determined across the entire Nation, is far outside the scope of this proceeding which focuses not on a broad reimagining of the system of carriage of television stations, but instead only on whether the Commission should permit or require a different methodology for determining whether a particular station is significantly viewed in a county or community.

NYSBA agrees with the Reply Comments of the National Association of Broadcasters² that the MDTC proposal is contrary to statute and beyond the Commission's authority. Further, the MDTC proposal is overbroad in that it would potentially reconfigure numerous television markets without regard to whether in-state news and information is already provided to the affected counties or whether the television stations that would be added to a market in fact serve the interests of the affected counties. A county might be deemed an "orphan" under the MDTC proposal even though the closest in-state television stations might be separated from that county by mountains or other geographic features such that the in-state station might not provide relevant weather or emergency information, while the out-of-state station does.

NYSBA believes that concerns about access to local news and information are better addressed by voluntary agreements among affected parties. In fact, MDTC fails to acknowledge a

¹ Comments of the Massachusetts Department of Telecommunications and Cable, MB Docket No. 20-73 (filed May 13, 2020).

² Reply Comments of the National Association of Broadcasters, MB Docket No. 20-73 (filed June 15, 2020).

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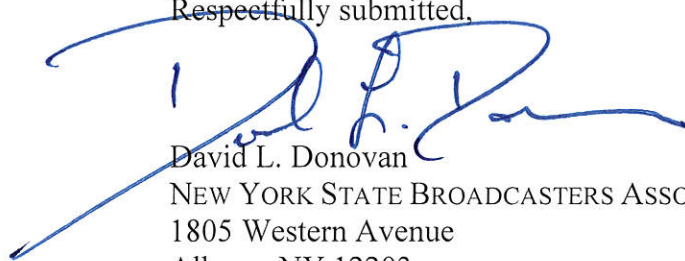
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February agreement among Charter Communications and Television Station WWLP, Springfield, Massachusetts, under which Charter will provide its subscribers in Berkshire County, Massachusetts, with a 24-hour news channel providing live and taped local news from WWLP.³ Thus, the specific concern expressed by MDTC had been solved before it filed its comments and there is no reason for the Commission to upend the structure of cable carriage rules established by Congress and the Commission and rules which have been in place for 50 years.

For these reasons and those set forth by the National Association of Broadcasters, the MDTC proposal should not be considered by the Commission.

Respectfully submitted,



David L. Donovan

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³ <https://www.iberkshires.com/story/61765/Markey-Secures-Agreement-to-Restore-WWLP-to-Cable-Lineup.html> (last visited July 27, 2020).