



Via Fax

April 25, 2006

The Honorable Joe Barton
Chairman
House Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The House Energy and Commerce Committee will soon consider a draft bill that would provide for national video franchising. Much of the debate about this bill revolves around its potential impact on cable companies that already have local or state video franchises and incumbent telephone companies that want to break into the video market in an expeditious manner. However, critical issues are often lost in these debates including the importance of universal access to affordable high-speed broadband, service quality and consumer protections.

The Communications Workers of America recommends that you consider the following principles and factors when examining the proposed bill.

Reasonable Build-out and Anti-redlining Requirements. Local franchises often require companies to build their networks throughout their franchise service area. This ensures that all residents will have access to video services and to high-speed broadband networks. Any national franchise also should establish such build-out requirements. Otherwise, market forces would create incentives for national franchise holders to "cream skim," i.e., concentrate only on higher income areas creating a two-tier market for video and high-speed broadband services.

High-Quality Services. National franchising would essentially replace local or state franchises that often require companies to meet specific customer service standards. Federal legislation should establish strong customer service standards with public reporting and penalties. These standards should set a floor above which state authorities could strengthen their standards. In addition, carriers should be required to publicly report the actual broadband speeds and reliability of their offerings.

Public Commitments. Local and state franchises often require that carriers pay specific fees and provide public, education and government (PEG) channels in exchange for a franchise. Any national legislation also should require that equivalent fees be paid to the local franchise authority and provide for PEG channels. After all, the House should promote the building blocks of a democracy and not just entertainment.

The Honorable Joe Barton
April 25, 2006
Page 2

Protecting Consumers and Public Health & Safety. The legislation should include protections against unfair and deceptive practices and provide for contract disclosures, including accuracy of billing and privacy; advance notice for termination; and dispute resolution. These federal standards should act as a minimum with state authority to strengthen them.

A La Carte Programming. Legislation also should require carriers to offer consumers the option of selecting individual channels on an a la carte basis. Currently, consumers can only choose between packages of bundled channels selected by the carriers. A la carte programming would promote diversity, enhance consumer choice, and control skyrocketing cable rates.

The public interest is greater than the particular interests of cable or telecommunications companies. CWA believes the public would be best served if legislation stimulates the universal provision of high-speed broadband; protects public safety, consumers and workers; ensures high quality; and maintains public commitments made to local and state governments.

Sincerely,



Larry Cohen
President