

**Rep. Henry Waxman
Questions for the Record**

“Oversight of the Federal Communications Commission”

Committee on Energy and Commerce, Subcommittee on Communications and Technology

To all Commissioners:

Q: In many markets, low power television stations (LPTVs) operating on Channel 6 developed new local services since the audio on these stations can be heard on 87.7 FM using the radio dial. In order to comply with the upcoming analog-to-digital television transition, some broadcasters have proposed combining digital LPTV signals with analog audio streams into one channel, using existing modulation. Please state your view in regards to this approach.

To Chairman Wheeler:

Q: Congress created the program access rules to level the playing field for competitors seeking to acquire video programming. Small cable operators use buying groups to purchase programming. I understand that the FCC has been working on updating the definition of a buying group for two years. What is the status of this proceeding?

Q: As the FCC continues its ongoing work on the IP transition, will the task force examine how service providers are marketing or communicating with consumers about replacing copper based services with IP? How will the FCC ensure that any trials are truly voluntary for consumers?

To Commissioner Pai:

Q: In your testimony at the hearing, you cited the FCC’s 2013 Local Telephone Competition Report stating that “99.6 percent of Americans can choose from at least three wireline competitors and 92 percent can choose from 10 or more.” However, the Local Competition Report goes on to state: “However, because providers may not offer service across an entire ZIP Code and because different providers may target different customer segments in areas where they provide service, we cannot conclude that the number of providers identified as delivering wireline service within a ZIP Code represents the number of options available to any specific customer within that ZIP Code. We further note that these data on the number of providers in a ZIP Code do not indicate whether a particular provider is offering service solely over its own last-mile facilities or is using the facilities of another carrier or entity.” Do you agree that zip code data may not adequately capture the number of actual choices available to consumers? And do you agree that policy makers should consider who controls access to the last-mile facilities when analyzing competition?