Americans For Limited Government

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VIA ELECTRONIC FILING

Joseph Simons
Federal Trade Commission Chairman
600 Pennsylvania Avenue NW
Washington, DC 20580

RE: Docket ID: FTC-2018-0091

Dear Chairman Simons,

Americans for Limited Government is writing to you today so that we may shed light upon the mass media consolidations that have recently been taking place in the United States. We are worried about the impact such media mergers and vertical integration in general will have upon the marketplace, and believe this subject must be addressed before matters are made much worse.

It is no secret that mass media consolidation has become very popular just in the past decade. In 2011, 90 percent of media was controlled by *only* 6 companies. [1] What's even more staggering — that same 90 percent was owned by more than 50 companies back in 1983.

Americans for Limited Government believes in checked government power, but as antitrust laws have continually become more and more lenient, it has come to our attention that massive media consolidation has negatively impacted diversity in the media. By concentrating too much power within the hands of too few, alternative viewpoints are being pushed to the periphery — and if we continue upon this path, the very fabric of American culture could be compromised.

Comcast and NBCU merged in 2011, and when this merger was given the greenlight, the new massive media company was subject to conditions meant to keep it from stifling industry competition. Many smaller cable operators were worried Comcast would try and succeed in raising prices for NBC programming, so the conditions were meant to keep Comcast-NBCU's power in check and dissuade them from doing just that. Now, some 7 years later, Comcast-NBCU's merger conditions have expired. This paves the way for an unleashed Comcast to raise prices for both competitors and consumers, withhold NBC programming from competition or worse yet, squeeze viable competition completely out of the market.

[1] http://www.businessinsider.com/these-6-corporations-control-90-of-the-media-in-america-2012-6

If anything, Comcast's behavior over the past 7 years it was subject to these conditions is telling of what's to come should these conditions not be reevaluated and reinstated. In 2011, Comcast violated one of its merger restrictions by knowingly and purposefully slotting Bloomberg TV away from other news channel lineups, including direct Comcast owned competitors: CNBC and MSNBC. In the end, Bloomberg won the fight, but it was not until years later. By that point, Bloomberg had already suffered through three years of diminished viewership, which affected their business and broadcast ratings. Luckily Bloomberg had the resources to fend off Comcast's attack on their network, but other independent programmers are not so lucky. Stipulations geared toward keeping Comcast/NBCU's power in check are the only reason small, independent cable systems can survive in a market where such a massive media giant continually breaks the rules in attempts to squander any form of competition.

It doesn't stop with Bloomberg either. In 2015, Comcast arbitrarily stopped carrying Spanish language channel Estrella TV, even though it had popular Nielsen ratings in the markets it served and started carrying NBC's Spanish language channel, Telemundo.

Our concerns are now amplified by the fact that Comcast-NBCU has recently been set free from the merger restrictions they once had to abide by. Mass media consolidation is slowly but surely warping alternative, important voices, with important long-term implications related to basic First Amendment freedoms.

That's why it is time, at the very least, to reevaluate what these mass media mergers can do — and that starts with taking another look at the Comcast-NBCU consolidation.

Sincerely,

Richard Manning
President
Americans for Limited Government