

United States Senate

WASHINGTON, D.C. 20510

October 2, 1992

Ms. D. Margaret Drury
City of Cambridge
City Clerk
Cambridge, Massachusetts 02138

Dear Ms. Drury:

Thank you for contacting me to express your views on S. 12, the Cable Consumer Protection Act. I appreciate hearing from you.

On May 14, 1991, I voted with a majority of the Commerce Committee to report S. 12 favorably. My vote was not an unqualified endorsement of the substance of S. 12. Instead, I voted to send the bill to the floor because I believe there are problems in the cable television industry that require legislative solution.

My reluctance to fully support this measure stems from my concern that S. 12 may legislate with too heavy a hand. For example, the bill will enable the FCC and municipalities to regulate the rates of many cable services. The record of the cable industry indicates that this not only may be unnecessary, since cable rates over the long run have not been unreasonably high, but also may be harmful, since investment and innovation in the cable industry may suffer. In other areas like program access I do not believe the Committee has legislated in the fairest way.

We need a bill that protects ratepayers against the potential abuses of an industry that has monopolistic tendencies, but we do not need a bill that zealously overregulates. When S. 12 was brought before the full Senate, I joined Senators Wirth and Packwood in offering a substitute bill which I felt came much closer to achieving the desirable balance. Unfortunately we were unable to secure sufficient support for it, and it was defeated.

Despite its shortcomings, I voted for Senate passage of S. 12. I concluded that the need to remedy the abuses in cable service pricing and other areas, and the need to re-establish consumer confidence in this service that is experiencing great increases in demand, should take precedence over my strong concerns about the detrimental effects I believe the legislation may have on diversity and quality of cable services and programming. Also, there are some important features of S. 12 which I support strongly -- some of which I helped to write -- that begin to address pricing, service, and industry convergence

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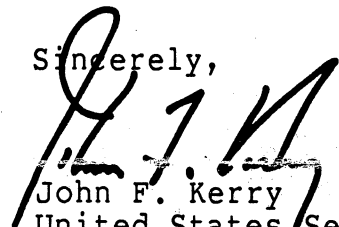
issues in the cable industry. S. 12 directs the FCC to study the number of subscribers a cable operator can reach nationwide and the number of channels any one cable programmer can occupy on a cable system; S. 12 directs the FCC to set maximum rates for leased access and to establish customer service standards and minimum technical standards; S. 12 re-establishes the concept of "must carry" for terrestrial channels; and S. 12 gives builders of second competing systems more opportunity to compete with existing systems.

I was disappointed that neither the House of Representatives nor the conference committee were able to produce a more balanced bill as I had hoped. The final conference agreement is very similar to the bill passed by the Senate. Nonetheless, for essentially the same reasons I voted for Senate passage, I voted in favor of the conference report on September 22, when it passed the Senate 74 to 25.

Now the bill goes to the White House for Presidential action -- where President Bush said he will veto it. Should he do so, both the House and the Senate will vote on the question of whether the veto should be overridden.

Once again, thank you for taking the time to write regarding this important issue. Knowing your views was very helpful to me as I studied the cable bill at its various legislative stages, and determined whether I should vote for it. Please stay in touch, and let me know whenever there are other issues of concern to you.

Sincerely,



John F. Kerry
United States Senator

JFK/jhb

JOHN F. KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, D.C. 20510

October 2, 1992

Mr. John E. Flynn
Office of The City Clerk
City of Cambridge, City Hall
Cambridge, Massachusetts 02139

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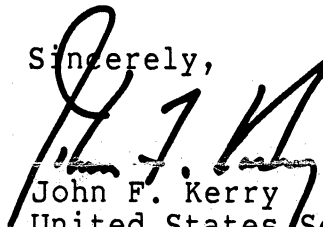
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Sincerely,



John F. Kerry
United States Senator

JFK/jhb

Consent Comm. # 7

S-832

Comm. from Senator John F. Kerry, in
acknowledgement of the resolution
adopted by the City Council regarding
the Cable Consumer Protection Act.

In City Council,

October 19, 1992

*Referred to the City
Manager for report
on the impact of the
Cable Consumer Protection
Act as it relates to the
subscribers of Continental
Cablevision
Copy sent to City Manager
10/21/92 dW*