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December 7, 2011

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

I write regarding a petition for rulemaking that asks the Federal Communications Commission (FCC) to reexamine and eliminate the Sports Blackout Rule. In order to facilitate a conversation on sports blackouts and sports programming, I urge the FCC to allow public comment on these issues.

Sports are an integral part of our country's history. Sporting events are among the most highly watched programming in America, allowing Americans to celebrate teamwork, perseverance, and triumph over adversity. Sports are also a large part of our economy, generating enormous revenues from sales of tickets, merchandise, and programming licenses.

For all the positive benefits that sports provide, it is therefore unfortunate that some fans are unable to watch their teams compete. Blackouts are unfair to fans. Indeed, blackouts are highly anti-consumer, whether they are the result of a league policy or an agreement—or lack of agreement—between networks and content owners. This behavior is especially unacceptable because fans pay high prices to watch sports, whether in the form of ticket prices, premium sports programming, or taxpayer subsidies for new stadiums.

In the decades since Congress and the FCC issued rules on sports programming, we have seen numerous advances in the business and technology of sports programming. I believe that an opportunity for public discussion on these changes would serve sports leagues, programmers, and fans by identifying changes that could be made to ensure that the public interest is served by sports programming, including by reducing or eliminating blackouts and by promoting and preserving widespread access to sports programming on free or low-cost outlets.

I request that the FCC allow public comment from fans and other interested parties on these issues and to consider revising or eliminating the Sports Blackout Rule if the public comment suggests such actions are necessary.

Thank you for your attention to this issue. I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Blumenthal". The signature is fluid and cursive, with a prominent flourish at the end.

Richard Blumenthal
United States Senate