

April 25, 1979

SEPARATE STATEMENT OF FCC COMMISSIONERS
JAMES H. QUELLO AND ABBOTT WASHBURN

Re: NTIA Petition for Retransmission Consent

We are concerned by the action of the Commission dismissing the NTIA Petition for Retransmission Consent.

There were substantial differences of opinion among Commissioners and valid arguments advanced for seeking comments on this open question from all affected parties, the public and from diverse legal experts.

We believe that the Copyright Revision Act does not bar FCC judgments on communications policy to address new problems or issues.

We believe FCC not only has the jurisdiction but the responsibility of establishing and updating policy to deal with new major developments that pose a potential of gross inequities or an ultimate threat to an established, orderly, allocations system.

In view of the broad nature of this proceeding, the Commission decided to provide an opportunity for interested parties and the public to file comments and viewpoints on the legality and desirability of requesting retransmission consent for cable operations and related matters. We look forward to carefully reviewing comments so that we will have the benefit of diverse and expert viewpoints before making a final decision in the public interest.

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