

May 15, 2006

U.S. House of Representatives  
Washington, DC 20515

Dear Representative:

The undersigned groups are urging you to vote against H.R. 5252, the Communications Opportunity, Promotion and Enhancement (COPE) Act. The bill will have an impact on every American family, but the only agenda that will be promoted and enhanced by this bill will be that of the country's largest telephone and cable companies.

This bill will harm the public's access to information, will stymie innovation on the Internet, and will deepen the digital divide. The COPE Act will:

- **Fail to protect the public's experience of a free and open Internet.** The COPE Act does not contain any language specifically requiring "net neutrality" -- the principle that Internet users should be able to access any web content they want, post their own content, and use any applications they choose, without restrictions or limitations imposed by their Internet service providers (ISPs). Without these protections written into law, the COPE bill opens the door for companies to turn the free and open "Information Superhighway" into a toll road benefiting their own bottom lines. They would do this by charging content providers for access to their Internet "pipes," and by relegating non-payers -- everyone from bloggers and nonprofits to small businesses -- to the slow lane, where they will be more difficult to find and harder to access.
- **Eliminate the authority of local governments.** The COPE Act states that if a telephone company wants to offer video programming, it does not have to negotiate local franchise agreements, the way cable companies had to. Instead, it would get a national franchise that sets some minimum standards of behavior and compensation to local governments for using their rights of way. Depriving local governments of their power to negotiate directly with video providers harms communities by eliminating local control of public rights of way used not just by communications companies, but also water, power and gas providers -- not to mention cars and pedestrians. The COPE Act would also endanger the funding and channel capacity of public, educational and governmental (PEG) channels, jeopardizing citizen access to vital local news and information that is too often overlooked by consolidated media.
- **Permit companies to offer special deals to high-income customers at the expense of lower income families.** Current law states that every cable customer pays the same for cable service, regardless of where that customer is located. But the COPE law will make it possible for phone and cable companies to compete for the high-income customers by slashing prices in affluent neighborhoods, while keeping prices high for customers in other parts of the cable market area that are less desirable.

- **Exacerbate the digital divide, by failing to ensure that the benefits of telecommunications competition will be extended to everyone.** When a local community awards franchises, it requires video providers to extend their services to the entire community, not just certain neighborhoods. With local governments no longer calling the shots, the COPE law does nothing to ensure that video providers “build out” their systems to include all families, including low-income, minority, and rural households. This information “redlining” can have a catastrophic impact on economic justice.
- **Leave the job of policing cable and telephone companies largely up to federal regulators.** The Federal Communications Commission would be the primary enforcer of consumer rules. The FCC has neither the experience nor the resources to adequately address the millions of consumer problems that arise annually.

The COPE Act will harm our access to information, our local communities and our democracy, and we strongly urge you to vote against it.

Sincerely,

Access Channel 5 NY  
 ACME: Action Coalition for Media Education  
 Alliance for Community Media  
 CCTV Center for Media & Democracy  
 Center for Digital Democracy  
 Chicago Media Action  
 Citizens for Independent Public Broadcasting  
 Common Cause  
 Community Television of Santa Cruz County  
 Consumer Project on Technology  
 FAIR: Fairness & Accuracy In Reporting  
 Hawaii Consumers  
 Media Access Project  
 Media Alliance  
 Media for Democracy  
 Media Tank  
 MoveOn.org Civic Action  
 National Video Resources  
 Office of Communication of the United Church of Christ, Inc.  
 Prometheus Radio Project  
 Quote...Unquote, Inc.  
 Reclaim the Media  
 SCAN Community Media  
 U.S. Public Interest Research Group  
 Cable Advisory Council South Central Connecticut  
 Wallingford Public Access Group, Inc. (CT)  
 Worcester Community Cable Access, Inc, “The People's Channel”