



March 10, 2010

U.S. Senate Commerce Committee:

This week, the Senate Commerce Committee will meet to consider the proposed merger between Comcast and NBC Universal. Government reviews of mergers should be expeditious, fact-based and fair.

We are concerned that there may be efforts to delay agency review of the merger or to pressure regulators to impose unrelated ideological conditions to achieve policy goals not achievable through the usual legislative or regulatory processes. We urge you to stand against such efforts.

Neither Comcast nor NBC Universal represents a large enough share of their respective markets to cause concerns. Comcast's cable ownership is well below levels that the FCC and the courts have found to present competitive risk, and Comcast is losing market share to phone and satellite providers. NBC Universal will remain the fourth-largest video content provider after the merger.

In a dynamic field like digital communications, firms should have the freedom to experiment with business models as they figure out how to adapt within a highly competitive marketplace.

It is our belief that companies operating in a competitive marketplace should be allowed to experiment with business models and corporate structures largely free of government interference. Therefore, there is nothing to prevent an expeditious government review with minimal conditions placed on merging companies.

We are concerned that despite the straightforward case for approving the merger, members of Congress and special interests may use opposition to the merger as leverage to pursue an unrelated ideological agenda.

The previous Federal Communications Commission imposed politically motivated conditions on mergers. Protracted delays to score political or ideological concessions hurt shareholders, employees, and the public. The XM-Sirius merger took over a year, and other FCC merger reviews took well in excess of the 180-day time period to which the FCC purports to hold itself.

Neither Congress nor the reviewing agencies should demonstrate hostility to needed investments and creative experimentation in industries that are otherwise shedding jobs.

We hope you will encourage Chairman Genachowski to avoid the mistakes of his predecessor in these regards, and ask him to provide your Committee with a clear commitment that the FCC will move swiftly, transparently and fairly to approve this merger without consideration of unrelated conditions suggested by special interest groups.

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