

TEXAS STATE LEGISLATURE



**State Senator State
Kim Brimer**

**State Representative
Corbin Van Arsdale**

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Brimer, Van Arsdale Demand Protections for Football Fans Across Texas

*Legislators Call for Action to Ensure Disputes
Do Not Block Access to Channels Consumers Want*

Austin – State Senator Kim Brimer (R-Fort Worth) and State Representative Corbin Van Arsdale (R-Houston), are urging Time Warner, Comcast, Charter, and other big cable companies to return to the negotiating table with NFL Network, the MountainWest Sports Network (The Mtn.) and other networks to work out an agreement in order to provide fans affordable viewing access to NFL, NCAA and high school football games before key late-season match-ups are not televised in most areas of the state.

If the parties cannot work it out, the two legislators said they will offer consumer-focused legislation during the next legislative session. The proposed bill would, at a minimum, establish a third-party dispute resolution process concerning cable programming and will authorize the Texas Public Utility Commission to establish additional customer service protections.

“Fans are the real losers here,” said Senator Brimer. “My county is about to be home to America’s team, but most Texans won’t be able to watch some of their most important games on TV. That is of great concern to my constituents and to fans across the state. Cable companies need to focus on giving their customers what they want --- which is football --- and they need to come to grips with the fact customers are paying enough already. Asking them to pay an extra \$10 a month to see the most popular events on television is ridiculous.”

Brimer also added, "I'm also very concerned that my local university's college football games are not being broadcast in my district. TCU games are being held hostage because some cable and satellite companies refuse to negotiate a resolution with certain networks to broadcast those games. And at the end of the season, two college bowl games, which draw teams from the Big 12 and Conference USA, will also be shut out because the parties won't work out a deal."

Rep. Van Arsdale said, "As a fifth-generation Texan, if there's one thing I've learned, it's that you don't get between the people of Texas and their football. As things stand now, a big money feud is doing exactly that. People around Texas won't be able to see some big NFL games starting in November. The interested parties need to be forced to arbitration to promptly put an end to this nonsense, so the fans can watch the games."

The Dallas Cowboys and Green Bay Packers are scheduled to play on Thursday, November 29 in a game that is likely to have playoff implications. Subsequent December games between the Cowboys and Carolina Panthers, and the Houston Texans and Denver Broncos, may also have playoff implications. For most fans outside of the home team market, the game is likely to be unavailable unless the issue is settled. This means Cowboys and Texans fans in San Antonio, the Rio Grande Valley, El Paso and Austin – among other markets – will not have access to the game.

The NFL Network costs two cents per subscriber per day, or roughly 60 cents a month. The cable companies have refused to offer it as part of their programming packages, instead proposing to charge subscribers \$4 to \$10 per month in addition to their monthly charges (which typically ranges from \$70 to \$90 per month).

"Legislators just might need to spend the interim and next session looking at how programming decisions are made, and whether there's an unjustified advantage given based on content," Rep. Van Arsdale added.

Van Arsdale explained, "The state has a role to play in this discussion. When the legislature created the statewide cable franchise concept two sessions ago, we transferred customer dispute issues to the Public Utility Commission. We, as a legislature, accepted our role as a party in the cable franchise process. That means the Legislature can and will help resolve these problems when the cable companies and the networks can't work out a deal. The Legislature needs to create a process that helps to resolve differences like this one so the fans – our constituents – don't get frustrated."

"We are appreciative of these legislators' support to get these issues resolved for TCU fans," said Danny Morrison, TCU Athletic Director.

"Why are Texans' fans force-fed basic cable programming that hardly anyone watches, while only the well-to-do can afford the most popular channels?" asked Senator Brimer. "The little guy misses out while these cable companies try to use the popularity of football to extract more fees from its customers."

“I’m standing up for football fans in my district and the millions of fans across the state,” said Rep. Van Arsdale. “Competition is supposed to give consumers the best products at the best price. But unless fans switch to satellite – and thousands of fans in my district can’t do so because they live in apartments that have exclusive deals with Comcast - they will have to watch old Tour de France archives rather than see some of the biggest football games of the season.”

In addition to televising live games, NFL Network offers more than 200 games each year, including replays of the five best games of the week, a video-on-demand library, and a host of other popular programming year-round as part of their “Football 24.7” coverage.

The Mtn. provides coverage of Mountain West Conference (MWC) athletics across multiple sports including football, men's and women's basketball, and men's and women's Olympic sports. In addition to live game coverage, fans get an array of news, features, and analysis about their favorite MWC teams and players.

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