

FCC Helps Open Apartment, Condo Doors to Competition

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The Federal Communications Commission has been taking actions recently to improve the ability of residents in multiple dwelling unit (MDU) buildings such as apartments and condominiums to enjoy the benefits of increased competition in telephone and video service offerings. Some estimates show that approximately 25 percent of Americans live in MDUs.

First, in a recent Order, the Commission clarified that competitive video service providers must not be forced to cut through sheet rock to connect their cable wiring to cable home wiring inside a unit. The Commission also ruled that competing telephone companies must have access to the incumbent's inside wire subloops in MDUs at the terminal block in order to install service. The inside wire subloop typically is used by competing telephone companies to connect to individual consumers in MDUs. The Commission hopes that by removing economic and operational barriers to infrastructure investment in the communications market, they will enhance video and telephone competition.

On a similar front, the Commission recently also released a Notice of Proposed Rulemaking seeking comments on whether and how the Commission should prohibit enforcement of exclusive video service agreements for MDUs. These agreements allow only one multichannel video provider to offer service in an MDU, and thus "lock" the residents into taking video service only from that provider.

Commission action in the exclusive service agreement proceeding could be very impactful, and we will be tracking progress in this proceeding.