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A RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to declare a sense of the Council on Comcast Programming.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council on Comcast Programming Emergency Declaration Resolution of 2019”.

Sec. 2. (a) Comcast is one of three cable providers in the District of Columbia.

(b) The current agreement between Comcast and Starz, a premium movie and TV service owned by Lionsgate, ends on December 31, 2019, and Comcast and Starz are negotiating a new agreement.

(c) Comcast announced that on December 10, 2019, Starz, Starz Edge, Starz in Black, Starz Comedy, Starz Cinema, Starz Kids & Family and associated on demand content will be removed from packages, and that on demand content for these channels will remain available until December 31.

22 (d) As a result, Comcast customers in the District of Columbia who would like to
23 continue to view Starz and Starz On Demand will need to subscribe to Starz a la carte and pay an
24 additional \$12 per month, likely resulting in a disproportionate effect on low-income households.

25 (e) Lionsgate alerted its Comcast subscribers that they will soon lose all 17 Starz
26 channels, along with the on-demand and online services without receiving any refund from
27 Comcast for the loss of programming.

28 (f) In the place of Starz, more Comcast customers in the District of Columbia will be
29 receiving MGM-owned EPIX as part of their packages beginning December 12, 2019, with three
30 additional EPIX channels, EPIX 2, EPIX Hits, and EPIX Drive-In.

31 (g) In a statement, Starz describes its programming as programming which elevates and
32 captures diverse voices in storytelling that appeals to women, African American, Latinx and
33 other under-served audiences.

34 (h) Starz programming lineup includes the sixth season of the series “Power,” which
35 ranks as the top-rated premium series among African American audiences, “Outlander,” “Vida”
36 and “American Gods.”

37 (i) It is reported that Lionsgate and members of Congress have asked the United States
38 Department of Justice to look into whether TV providers such as Comcast could be abusing their
39 market position in negotiations over content licenses, and that the Department of Justice has
40 contacted Comcast and Lionsgate, the owner of Starz, as part of an informal inquiry into two
41 companies’ contract negotiations

42 (j) Baltimore’s city council passed a resolution concerning diversity of programming
43 urging Comcast to comply with its franchise obligation to maximize the diversity of
44 programming over the Comcast System.

45 (k) It is reported that the United States Department of Justice has been weighing an
46 antitrust probe into the matter and federal law enforcement has been interviewing Starz and
47 Comcast executives as part of an informal process, and that the Department has indicated that it
48 is monitoring Comcast to ensure fair market competition.

49 (l) Diversity of television programming is a valued priority of the District of Columbia,
50 and the elimination of programming should not have a disproportionate or significant impact on
51 low-income families.

52 Sec. 3. The Council of the District of Columbia determines that the circumstances
53 enumerated in section 2 constitute emergency circumstances making it necessary that the Sense
54 of the Council on Comcast Programming Emergency Resolution of 2019 be adopted after a
55 single reading.

56 Sec. 4. This resolution shall take effect immediately.