

Comments of ICLE & TechFreedom, In the Matter of STELA Reauthorization and Video Programming Reform, House Energy and Commerce Committee

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Summary

“STELA (and its predecessors) as well as the Cable Act were written to promote competition and to protect consumers in nascent markets. But since their enactment the market has fundamentally changed, becoming quite competitive. Rather than continuing to try to tweak the laws of a bygone era, Congress should abandon these disparately applied, technology specific regulations and embrace the default tool for dealing with market power across the economy: antitrust law. Antitrust is the best tool for policing market power in evolving (if not perfectly competitive) markets, to ensure that distributors with market power do not use their power to harm consumers, while recognizing the benefits that come from experimentation in new technologies and business models for delivering video content to consumers...”

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