

A RESOLUTION

23-282

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 3, 2019

To declare the existence of an emergency with respect to the need to declare a sense of the Council on the need for Comcast to maintain the Starz premium movie and television package as part of its 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 3 cable providers in the District of Columbia.

(b) The current agreement between Comcast and Starz, a premium movie and television 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, 2019.

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

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

(f) In the place of Starz, more Comcast customers in the District of Columbia will be receiving Metro-Goldwyn-Mayer-owned EPIX as part of their packages beginning December 12, 2019, with 3 additional EPIX channels, EPIX 2, EPIX Hits, and EPIX Drive-In.

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

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(h) The Starz programming lineup includes “Outlander,” “Vida,” “American Gods,” and the 6th season of the series “Power,” which ranks as the top-rated premium series among African American audiences.

(i) It is reported that Lionsgate and members of Congress have asked the United States Department of Justice (“DOJ”) to look into whether television providers such as Comcast could be abusing their market position in negotiations over content licenses and further reported that DOJ has contacted Comcast and Lionsgate, the owner of Starz, as part of an informal inquiry into the 2 companies’ contract negotiations.

(j) The Baltimore City Council passed a resolution concerning diversity of programming urging Comcast to comply with its franchise obligation to maximize the diversity of programming over the Comcast system.

(k) It is reported that DOJ has been weighing an antitrust probe into the matter and federal law enforcement has been interviewing Starz and Comcast executives as part of an informal process and further reported that DOJ has indicated that it is monitoring Comcast to ensure fair market competition.

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

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense of the Council on Comcast Programming Emergency Resolution of 2019 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.