

**Before the
Federal Communications Commission
Washington, D.C. 20554**

**In the Matter of the State of
Competition in the Communications
Marketplace**

GN Docket No. 26-78

COMMENTS OF THE MOTION PICTURE ASSOCIATION, INC.

I. INTRODUCTION

The Motion Picture Association, Inc. (“MPA”) respectfully submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Public Notice seeking input regarding the state of competition in the communications marketplace (“Public Notice”),¹ and urges the FCC to refrain from intervening in the video marketplace in light of increasing innovation, intermodal competition, and viewer choice.

The MPA is a not-for-profit trade association founded in 1922. The MPA serves as the voice and advocate of the film and television industry, advancing the business and art of storytelling, protecting the creative and artistic freedoms of storytellers, and supporting the creative ecosystem that brings entertainment and inspiration to audiences worldwide. MPA’s members are: Amazon Studios LLC; Netflix Studios, LLC; Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Universal City Studios LLC; Walt Disney Studios Motion Pictures; and Warner Bros. Entertainment Inc. These companies and their affiliates are the leading producers and distributors of filmed entertainment. MPA appreciates the opportunity to comment on this matter and provides information below updating data submitted to the

¹ Federal Communications Commission, *Office of Economics and Analytics Seeks Comment on the State of Competition in the Communications Marketplace*, GN Docket No. 26-78, Public Notice (April 6, 2026).

Commission in 2024 on competition in the video marketplace with a focus on the filmed entertainment sector.²

II. PROGRAMMING AND VIEWERSHIP TRENDS IN THE FILMED ENTERTAINMENT SECTOR

A wide range of programming options currently exists in the filmed entertainment sector. MPA’s Analysis reveals that in 2025 there were 1,416 original series—including unscripted shows, children’s programs and daytime dramas—suggesting that project numbers are stabilizing following the 2021-2022 surge during the COVID-19 pandemic and declines caused by the 2023 industry labor strikes.

Available information shows that “audiences are [...] migrating to platforms” that have “broad and diverse content offerings,”³ and that consumption options in the filmed entertainment sector continue to remain plentiful despite recent challenges, including industry labor strikes. According to MPA’s Analysis, since 2024, the total theatrical, in-home, mobile, and pay television (“pay-TV”) subscription entertainment market has remained stable at \$169 billion, a 13 percent increase from 2019.⁴ There are numerous options available for consumer viewing. For example, in addition to visiting theaters, American consumers can view filmed content on broadcast, pay-TV, and online services, as well as through physical media such as digital video discs (DVDs). Online video marketplace offerings include subscription video-on-demand

² Federal Communications Commission, *Comments of the Motion Picture Association*, GN Docket No. 24-119 (June 6, 2024) (“2024 Comments”). For the information referenced herein, MPA analyzed relevant media and entertainment marketplace data from sources such as Comscore (including theatrical data), the Digital Entertainment Group (including home entertainment data), Omdia (including pay-TV and VOD data), Nielsen, public sources, and MPA’s member studios. This information is presented as derived from “MPA’s Analysis” unless otherwise noted.

³ Press Release, *Streaming Platforms Leading The Way In On-screen Diverse Representation*, Nielsen (Dec. 3, 2020), <https://www.prnewswire.com/news-releases/streaming-platforms-leading-the-way-in-on-screen-diverse-representation-301185827.html>.

⁴ MPA’s Analysis.

(SVOD), ad-supported video-on-demand (AVOD) (including, but not limited to, services hosting primarily user-generated content), a growing number of free, ad-supported streaming television or ‘FAST’ services, and transactional video-on-demand (TVOD). Mobile device viewership is popular among younger consumers as a recent report indicates that in 2025, nearly half of adolescents (ages 10-24) said they mostly watch TV and movies on a personal device other than their TV (including their phone, tablet or computer).⁵

Moreover, online video subscriptions—comprising almost 50 percent of consumer spending on filmed entertainment nationally—continue to increase. MPA’s Analysis shows that in 2025, online video subscriptions in the U.S. grew by 19 percent from 2024 to 593 million. Consumers can access an incredibly wide range of options with the click of a button on their smart TV, and they regularly move among them to watch various types of high-quality programming. Recent information underscores robust competition in the online video marketplace. For example, research indicates that US consumers averaged 4.5 subscriptions to streaming services,⁶ and the churn rate for these services is about 40 percent.⁷ Also, the average consumer spends between 4.5 and 6.9 hours per day consuming streaming media.⁸

Consumers have access to many streaming and other online video services in the online video marketplace. Indeed, MPA’s Analysis indicates that there are over 195 streaming providers

⁵ Puretz, M., Hines, A., Uhls, Y.T., *Get Real! Relatability on Demand. Teens & Screens 2025*, Center for Scholars & Storytellers (2025), <https://www.scholarsandstorytellers.com/teens-screens-25>.

⁶ Brad Adgate, *U.S. Subscribers on Average Pay \$924 Per Year For Streaming Services, Survey Shows*, Forbes.com (Feb. 20, 2024), <https://www.forbes.com/sites/bradadgate/2024/02/20/survey-on-average-subscribers-pay-924-a-year-with-streaming-video/>.

⁷ *From Subscribers to Superfans: Fan Engagement Shapes the Next Phase of Media and Entertainment Growth*, Deloitte (March 25, 2026), <https://www.deloitte.com/us/en/about/press-room/deloitte-survey-digital-media-trends-consumption-habits.html>.

⁸ Jack Caporal, *State of Streaming 2025: Streaming Services and Consumer Sentiment*, The Motley Fool (Dec. 28, 2025), <https://www.fool.com/research/state-of-streaming/>.

offering full-length movie and television content in the United States. These online video services include not only well-known video-on-demand services such as Amazon Prime Video, Apple TV+, Disney+, Hulu, HBO Max, Netflix, Paramount+, and Peacock, but also services offering online linear programming such as YouTubeTV and online video sharing services such as YouTube, Instagram, TikTok, and more. YouTube, for its part, is the single largest distributor by viewing time across streaming, broadcast, and cable television.⁹ YouTube is increasingly the home of high-value, premium programming such as NFL games and recently secured the exclusive right to televise the Oscars starting in 2029.¹⁰ Meanwhile, a growing number of creators who first found audiences on YouTube now operate like major studios, producing high-budget content for audiences around the world and competing with traditional studio programming.

The FCC should intervene in the video marketplace only where it has clear legal authority and unequivocal record evidence of market failure. To do otherwise would hinder, rather than help innovation and viewer choice. Today, the marketplace shows abundance and intermodal competition, not clear signs of market failure. Indeed, online services are increasingly providing access to video programming that also remains available on other platforms, a proposition supported by the Public Notice launching this round of comments.¹¹ From a competition

⁹ *The Gauge: TV Viewing Trends in the U.S.*, Nielsen (March 2026), <https://www.nielsen.com/data-center/the-gauge/#viewing-by-distributor>.

¹⁰ See, e.g., *The Academy Partners with YouTube for Exclusive Global Rights to the Oscars and Other Academy Content Starting in 2029*, The Academy of Motion Picture Arts and Sciences (Dec. 17, 2025), <https://press.oscars.org/news/academy-partners-youtube-exclusive-global-rights-oscarsr-and-other-academy-content-starting>.

¹¹ Public Notice at para. 20 (tentatively concluding that the FCC will eliminate reporting on set-top boxes used to access MVPD programming in part because of “increased usage of apps to watch MVPD programming on devices other than set-top boxes.”).

standpoint, examining intermodal competition across broadcast, cable, satellite, telecommunications, and streaming services remains important. These services should not be conflated from a jurisdiction standpoint, however, as each is subject to a different regulatory regime. Importantly, although streaming services compete with all the other video platforms, the FCC and Congress have both observed that the agency lacks authority to regulate online video services.¹²

III. ECONOMIC BENEFITS

The filmed entertainment sector provides significant benefits to the national and local economies. For example, the film and television industry supports approximately 2.01 million jobs nationwide and generates \$202 billion in total wages.¹³ These benefits flow across a range of viewing options, including online services. For example, from 2016 to 2025, Netflix contributed over \$225 billion to the U.S. economy—creating jobs across all 50 states while ensuring American culture and storytelling lead on the global stage.¹⁴ The industry, according to

¹² See, e.g., Federal Communications Commission, *Letter from FCC Chair Jessica Rosenworcel to Sen. Charles Grassley* (Mar. 24, 2023) (stating that “online video programming distributors do not neatly fit in these [multichannel video programming distributor] statutory definitions because they lack a physical connection to subscribers and do not use any electromagnetic frequencies when delivering programming to their viewers,” that “the Commission lacks the power to change these unambiguous provisions,” and “that even if the Commission were to proceed, it would require changes to underlying copyright policies” also outside the FCC’s jurisdiction), <https://docs.fcc.gov/public/attachments/DOC-392183A2.pdf>; Federal Communications Commission, *Letter from House Commerce Committee Chair Cathy McMorris Rodgers and House Communications and Technology Subcommittee Chair Robert Latta to FCC Chair Jessica Rosenworcel* (Aug. 8, 2023) (stating that the FCC does not have legal authority to regulate streaming services and “urg[ing the FCC] to refrain from taking any action to impose outdated regulations” on video streaming providers), https://d1dth6e84htgma.cloudfront.net/08_08_23_Letter_to_FCC_on_v_MVP_Ds_359d8b2454.pdf. See also House Energy and Commerce Committee Chair Brett Guthrie, *Comments Before the Media Institute* (June 24, 2025) (stating that he did not support imposing existing regulations on newer media entrants such as video streaming platforms for “fear that imposing additional regulation on this industry rather than relieving burdens on others would slow down innovation rather than encourage it”), quoted in Christopher Cole, *Key House Republican Calls For Telecom Law Reforms*, LAW360 (June 24, 2025), [HTTPS://WWW.LAW360.COM/ARTICLES/2357099/KEY-HOUSE-REPUBLICAN-CALLS-FOR-TELECOM-LAW-REFORMS](https://www.law360.com/articles/2357099/key-house-republican-calls-for-telecom-law-reforms).

¹³ See The Motion Picture Association, *Research Report: The American Motion Picture and Television Industry: Creating Jobs, Trading Around the World* (Feb. 10, 2026), [MPA Economic Contribution US Infographic 030926.pdf](https://www.mpa.com/economic-contribution-us-infographic-030926.pdf) (“MPA Economic Impact Data”).

¹⁴ Netflix, *The Netflix Effect* (May 12, 2026), <https://thenetflixeffect.com/>.

MPA data, consists of over 162,000 businesses in every state. Most of these businesses are small, “with 93 percent employing fewer than 10 people.”¹⁵ Moreover, according to MPA’s most recent data, MPA’s members provided \$20 billion in payments to 210,000 local businesses in the United States through their productions.¹⁶ U.S. movie and television productions also generated \$33 billion in public revenue from sales taxes on goods, state income taxes, and federal taxes including income tax, unemployment, Medicare, and Social Security, based on direct employment in the industry.¹⁷ Additionally, the industry’s trade resulted in an estimated \$9.0 billion trade surplus in 2024. The industry generates a positive balance of trade in every major market in the world, with exports 2.2 times as high as imports in 2024.¹⁸ Intervening in this vibrant marketplace for in-home and mobile consumption of content would thus jeopardize significant national and local economic benefits.

IV. CONCLUSION

The filmed entertainment sector continues to deliver content that captivates and caters to the viewing preferences of a wide range of consumers. The sector is a significant driver of economic opportunities for communities across the nation and enables American consumers to exchange diverse information, ideas, achievements, and culture. But as MPA stated in its 2024 Comments, the video programming marketplace will only continue to thrive if the Commission facilitates a light-touch approach to regulating video services.¹⁹

¹⁵ MPA Economic Impact Data.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ 2024 Comments at pp. 5-6.

Please do not hesitate to contact the undersigned with any questions you have about these comments.

Respectfully submitted,

/s/ Kenneth Mallory

Kenneth “Ken” Mallory, Esq.
Vice President, Media Policy & Regulatory
Counsel

Motion Picture Association, Inc.

1600 Eye Street, NW
Washington, DC 20006

May 21, 2026