

**From:** [REDACTED]  
**To:** [ATR-LitIII-Information](#)  
**Subject:** Public Comment Re: The Paramount Decrees  
**Date:** Wednesday, August 8, 2018 3:45:10 PM

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To Whom it May Concern,

I am a small business owner in America. My movie theater (The Callicoon Theater, Sullivan County, New York State) is a local treasure and has been a part of our community since 1948. I'd like to make a statement regarding the upcoming review of the Paramount Decrees.

Allowing the motion picture studios to invest in, buy up, and manage their own exhibition houses (aka movie theaters) would be a mistake. Mainly, this is an issue of monopolizing our country's freedom of choice when it comes to what media content they consume.

When I select a picture to run in my theater it's a careful process. The studios demand 50% of my gross ticket profits and require that I screen whatever picture I've chosen for at least a two-week minimum. This means that, as small business owner, I cannot diversify my programming to simultaneously reach a wider audience in my area. I cannot screen a family-friendly option in the afternoon, a picture that appeals to older men and women that evening, and a picture that appeals to communities of color the following day. Metaphorically: I cannot offer Coke, Pepsi and Dr. Pepper. For the two weeks that I have Coke in the theater that is the only option. Those of us who still run single-screen picture houses (the type of business who's revenue basically built the motion picture industry in the early twentieth century) are bound to just one picture at a time, and it makes for a particular challenge if you believe that representation matters and that all Americans deserve access to high quality entertainment.

I realize that the argument in opening a review on the Paramount Decrees is based on the idea that things have changed. The single-screen model is no longer typical in the industry and consumers have many more options when it comes to entertainment. This is true. However, for those of us who live outside of suburban or metro areas those options are still surprisingly limited. In my area we have three screens in the entire county, and I reside only two hours outside of New York City.

When I curate the programming for The Callicoon Theater, I must carefully think about the local people in my community. Movies are, of course, a form of entertainment and therefore are considered by many to be a frivolous experience. However, these spaces (especially older single-screen theaters like mine) create a place for our communities to gather and be together. They are a valuable part of what hold this country together- in an age when it has become increasingly easy to stay at home and enjoy all the entertainment you need from your TV or computer. In my humble opinion, this new level of isolation is unhealthy for communities, countries and the for people who live in them. One might even argue it has begun to affect our ability to properly communicate and share public spaces with each other.

By allowing the motion picture studios to monopolize and curate their own exhibition houses we would essentially be letting them dictate the pictures we will have access to, based solely on which studio produced the content, and (I assume) whatever content the studio believes will be profitable in our areas. If you live in a rural area with only one or two theaters you will effectively ONLY see pictures produced by the studio which owns those two theaters. Of course, people in big cities would not suffer as much, being able to chose from a multitude of

screens in their area. This would be one more way in which the lives and experiences of citizens in metro areas will differ vastly from the lives of those of us in less-populated rural places.

I cannot speak to 'block booking' or 'circuit dealing' directly, as I have had no experience with these mandates. They sound as though they would further restrict our abilities to diversify our content and therefore, my ability to reach out to a wider audience base. At the very least they sound as though they would make it easier for chain theaters to save on licensing pictures and more cost-prohibitive for the small business owner to do the same. 'Overboard clearances' would also, it seems to me, specifically restrict consumer freedoms based on geographic areas.

I will say that taking away my ability to set my own admission prices is something I take major issue with. After taking 50% of our gross ticket profits, allowing motion picture studios to set a standard minimum price for tickets would likely destroy small theaters. I know my customers and I know what they consider to be a fair price. To allow a corporation located 3000 miles away dictate my prices would be an unreasonable violation of my control over my own business.

The motion picture industry pulled in \$38.6 billion dollars in 2016 and is undoubtedly a profitable industry. They already maintain an incredible amount of control over their products; how they are licensed, controlled and consumed. However, much in the way that the Sherman Antitrust Act, The Paramount Consent Decree, and other regulations like them have protected our economy against intervention from any government, price-setting monopoly or other authority, this issue comes down to choice versus a lack of choice. We must allow people the right to consume entertainment on the free market. Let people choose which films they see, which books they read, which newspapers they subscribe to. Do not let corporations decide the content we consume based on some industry standard or profit-driven algorithm.

Thank you for your time,



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