

Court says no exclusive cable rights in apartments

May 26 2009, By NEDRA PICKLER , Associated Press Writer

(AP) -- Cable companies cannot have exclusive rights to provide service in apartment buildings that they wire, a federal appeals court ruled Tuesday.

The decision from the Court of Appeals in Washington upholds a [Federal Communications Commission](#) ruling that banned the exclusive agreements as anticompetitive.

The deals involved a provider exchanging a valuable service like wiring a multiunit building for cable in exchange for the exclusive right to provide service to all the residents.

The commission said [cable operators](#) could no longer enter into such deals and existing ones could not be enforced.

The National Cable & Telecommunications Association and a pair of affiliated real estate groups sued, saying the FCC did not justify the change in policy, consider the retroactive effects or have the authority to regulate the deals. But the appeals court sided with the FCC and said it acted well within the bounds of the law.

A spokesman for the cable association had no immediate comment on the ruling.

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