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Waycross Community Television

2086 Waycross Road, Forest Park, Ohio 45240-2717

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MEMO

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To: Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

From: Gregory R. Vawter, Central States Region Chair
Alliance for Community Media

Date: December 5, 1992

Enclosed please find Formal Comments in the matter of
"Implementation of Section 10 of the Cable Consumer
Protection Act of 1992—Indecent Programming and other types
of Materials on Cable Access Channels" from the following
organizations and individuals:

Allen County Public Library

Ann Arbor Community Access Television

Community Access Network, Inc.

Defiance Community Television

Waycross Community Television

Roxie Lee Cole

Judy Crandall

David B. Dreety

Erik S. Mollberg

While these filings are being included as one package to the
Commission, they are separate comments of the parties noted.



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FEDERAL COMMUNICATIONS COMMISSION
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Before the
Federal Communications Commission
Washington, DC 20554

In the matter of

Implementation of Section 10 of)
the Cable Consumer Protection)
and Competition Act of 1992)
Indecent Programming and)
Other Types of Materials on)
Cable Access Channels)

MM Docket No. 92-258

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To the Commission:

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COMMENTS OF
Steven C. Fortriede
Associate Director
Allen County Public Library
Fort Wayne, Indiana

Steven C. Fortriede submits these comments in response to the above captioned proceeding and in support of the comments filed in this proceeding by the Alliance for Community Media, Alliance for Communications Democracy, American Civil Liberties Union and the People for the American Way.

In particular, Steven C. Fortriede agrees that the provisions of Sections 10(c) and 10(d) will be unconstitutional, no matter how they may be implemented. However, assuming that the Commission decides to adopt rules to implement either Section 10(c) or 10(d):

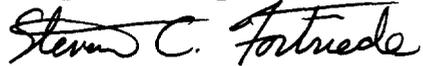
a. The rules should be specific and as narrowly drawn as possible, and must contain limitations that prevent cable operators from hampering use of access channels by those who wish to produce live or cablecast taped programming under the guise of applying the rules. Live

programs such as City Council meetings or any programs which involve live, interactive response from the viewing audience must be protected. In September, 1992, a tuberculosis scare gripped my community, Fort Wayne, Indiana, when a transient who had spent much time at the Library and in other public buildings was found to have an especially pure and virulent strain of the disease. The local Board of Health issued public warnings of the danger and the community was much concerned. Traffic at the Main Library, and one branch frequented by the TB carrier was much reduced as patrons were afraid even to come into the buildings. We were able to use the public access channel to provide information, and to still the fears of many people, by producing programming where viewers could call in with questions to Library and local health officials. The local broadcast media only fed the concern with their brief news reports and sensational clips of long lines of persons waiting to have TB tests. Only on public access, with its ability to narrowly focus programming and to respond immediately to a concern could we provide the kind of information, in the timely manner, the situation required. Any rules which the FCC may adopt must preserve the opportunity to present live, interactive programming.

b. Access centers have very limited resources. The FCC rules should make it clear that any actions taken by an operator under Section 10 must be undertaken at the operator's own expense.

c. Approximately 168 hours of video and text programming are cablecast each week on the access channel in my community. Nearly every program is generated from the community and almost all of it is produced by volunteers. It must be as easy as possible for these volunteers to use. Any rules must recognize that any roadblocks that are placed in the way for production will reduce the right of these people to freedom of expression

Respectfully Submitted,



Steven C. Fortriede
Allen County Public Library
900 Webster Street
Fort Wayne, Indiana 46802

DATE: December 5, 1992