



Oakland County Cable Communications Corporation

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Chairman Sikes
Federal Communications Commission
1919 N. Sikes NW
Washington, D.C. 20554

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Dear Mr. Sikes,

Several sections of the Cable Television Consumer Protection Act have a negative affect on PEG (Public, Educational and Governmental) cable access channels.

The provisions which affect PEG access include:

1) Access censorship. "Within 180 days following the enactment of this section, the (FCC) shall promulgate such regulations as may be necessary to enable a cable operator...to prohibit the use..of any channel capacity of any public, educational or government access facility for any programming which contains obscene material, sexually explicit conduct, or material soliciting or promulgating unlawful conduct."

The access censorship language provides the cable operator with the power to silence constitutionally protected speech without the due process provisions under existing laws, which will lead to extensive litigation.

2) Re-tiering. A cable operator may, "add to or delete from a basic cable tier any video programming other than re-transmitted local television broadcast signals." *This may allow cable operators to shift PEG access channels from basic to other tiers.*

PEG access channels should be available to all subscribers on basic service.

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3) Must-carry and unused access channels. "An operator required to add the signals" of an educational (PBS) station to its line-up "may do so by placing such additional stations on public, educational or government access channels not in use for their designated purposes."

The PBS must-carry language invites needless litigation, conflict and franchise challenges because it fails to recognize that the Cable Act already requires local rules and procedures for the use of unused PEG access channels.

4) Billing itemization. The cable operator may include a line item on bills showing "the amount of total bill assessed to satisfy any requirements imposed on the cable operator by franchise agreement to support public, educational and government channels or the use of such channels."

The bill itemization issue discriminates against local, non-commercial programming. It may be an incentive to "pile on" costs in order to discredit or discourage the development of PEG access programming. It is not required for other costs of cable operators which are significantly more important to consumers. The average "cost" of PEG access programming to subscribers per month is less than the cost of a single copy of the local newspaper.

There is no language to provide for the protection of the public's interest in supporting PEG access to ensure that adequate, dedicated funding for PEG access must be provided by cable operator franchise fees.

In closing, please support my interests in PEG access cable television when it is reviewed.

Sincerely,



Cheryl Michell
Executive Director