

Exhibit A: Non-profits Organizations Producing Local Programs

Series Programs

Amnesty International
Bethlehem Church
Church of Jesus Christ of the Apostolic Faith
Cornell University Public Affairs Society
CHANGE-NY

Individual Shows (partial list)

Tompkins Co. Human Rights Commission
Crisis Hostel Project
Boynton Middle School
Cayuga Heights School
AIDS Work of Tompkins Co.
Alternative Community School
Eckankar
North Shore Animal League
DeWitt Middle School
Ithaca Cable Commission
South Hill School
Cayuga Trails Club
Tibetans in Exile
Cornell Gamelon Ensemble

EXHIBIT B: Non-profit Organizations Submitting Programs Produced Elsewhere

Series

American Atheists, Tompkins Co. Chapter
Osho Santosh Meditation Center
Church of Jesus Christ
Social Security Administration, Ithaca Office
Committee on US-Latin American Relations at Cornell
American Red Cross, Ithaca Chapter
NYS Office for the Aging
Newfield Assembly of God
Immaculate Conception Church
St. Mary's Russian Orthodox Church, Syracuse
Veterans of Foreign Wars

A wide variety of local organizations submit pretaped shows produced elsewhere on an individual show basis. For example:

Ithaca Health Care Action Network
CUSLAR

etc., etc., etc

I do not have direct knowledge of the number of these as they are listed under the name of the person who brought them in and not the organization.

EXHIBIT C: Non-Profit Organizations (254) Using the Community Bulletin Board at PEGASYS Access Center in Ithaca, NY, May 1, 1994, through Dec. 10, 1994 (no. of uses)

'94 Food for Food (1)
 4-H (4)
 AIDS Work of Tompkins Co. (7)
 Alternative Community School (1)
 American Cancer Society(4)
 American Heart Association (1)
 American Legion Post 221 (5)
 American Lung Association (3)
 American Red Cross (25)
 American Youth Hostel (1)
 Amnesty International (6)
 Attention Deficit Disorder Group (1)
 Attorney General 'consumer Outreach Project (1)
 Babies First (1)
 Ballroom Dance Co. of Ithaca (2)
 Beverly J. Martin School (1)
 Bib 'n Tucker (1)
 BOCES (1)
 Bookery II (3)
 Boy Scout Troop #12 (1)
 Boy Scout Troop #24 (1)
 Boynton Middle School (1)
 Brooktondale Community Center (1)
 Cabin Fever Festival (1)
 Camp Fire Boys & Girls (1)
 Campus Club of Cornell (2)
 Cancer Support Group (1)
 Cass Park (3)
 Cayuga Chamber Orchestra (1)
 Cayuga Chimes (1)
 Cayuga Nature Center (24)
 Cayuga Trails Club (4)
 Cayuga Vocal Ensemble (2)
 Center for the Expressive Arts (3)
 Change NY (2)
 Child Birth Education Society of Tompkins Co. (1)
 Christ Temple Inc. (3)
 City of Ithaca (7)
 Clearwater Christian College (1)
 Club Essence (1)
 Coalition for a Bias Free Ithaca School System (1)
 Comic Book Club of Ithaca (1)
 Community Dispute Resolution Center (3)
 Community Fireworks Committee (1)
 Community Nursery School (1)
 Community School of Music and Arts (12)
 Concord Coalition (3)
 Cornell Council for the Arts (1)
 Cornell African Students Association (1)
 Cornell Black Students (1)
 Cornell Concert Commission (3)
 Cornell Cooperative Extension (19)
 Cornell Department of Theatre Arts (2)
 Cornell Dept. of Near Eastern Studies (4)
 Cornell Design League (1)
 Cornell Festival of Black Gospel Committee (1)
 Cornell Johnson Art Museum (8)
 Cornell Laboratory of Ornithology (1)
 Cornell Mountain Film Fest (1)
 Cornell Music Department (3)
 Cornell Plantations (1)
 Cornell Sri Lankan Students Assoc. (1)
 Cornell Summer Session (9)
 Cornell Univ. Wellness Program (1)
 Cornell University (2)
 Cornell Veterinary Players (1)
 Corner Book Store (3)
 Crisis Hostel (1)
 Crossdressers (1)
 Cuban Friendship Week (1)
 Cystis Fibrosis Foundation (1)
 Danby Fire Station (2)
 Day Care and Child Development Council (9)
 Democratic School of the Finger Lakes (2)
 Department of Northeast Studies (1)
 DeWitt Historical Society (5)
 Displaced Homemakers (7)
 Downtown Ithaca, Inc. (3)
 Drop-In Children's Center (1)
 Dryden American Legion Post 1134 (2)
 Dryden Dairy Day (1)
 Dryden Elementary School (1)
 Dryden Footlighters (2)
 Dryden High School (1)
 Dryden Historical Society (1)
 Dryden Sertoma Club (1)
 Durland Alternatives Library (1)
 ECK Worship (8)
 Eckankar (5)

Ellis Hollow Church (1)
 Empire State College (1)
 Enfield Elementary School (3)
 Enfield Valley Grange #295 (1)
 EOC (1)
 Etna Freeville Cooperative Nursery (1)
 Etna Volunteer Fire Department (1)
 Family and Children's Services (1)
 Feminist Women's Writing Workshop (2)
 Finger Lakes Independence Center (2)
 Finger Lakes Land Trust (6)
 Finger Lakes Grassroot Festival (1)
 Firehouse Theatre (3)
 First Baptist Church (3)
 First Presbyterian Church (1)
 First Unitarian Church (1)
 Freeville Elementary School (1)
 Freeville Fire Station (1)
 Fresh Air Fund (1)
 Friends of Tompkins County Library (4)
 Friendship Center (1)
 Full Gospel Businessmen's Fellowship (5)
 G I A C (2)
 Genesee Baroque Players (1)
 G I A C (6)
 Graduate History Association (1)
 Grief Support Group (1)
 Groton Fire Department (1)
 Groton Historical Association (4)
 Hangar Theatre (22)
 Hemlock Society (1)
 Home Health Care Aide (1)
 Housing Options for Seniors Today (1)
 Human Services Coalition (2)
 IACC Day Care Center (1)
 Immaculate Conception (1)
 Independent Search Committee for Dryden
 School Board (1)
 IRS (4)
 Ithaca Area Health Care Action Network
 (10)
 Ithaca Area Toastmasters (1)
 Ithaca Breast Cancer Alliance (2)
 Ithaca Cable Commission (1)
 Ithaca College (7)
 Ithaca Community Chorus (2)
 Ithaca Concert Band (2)
 Ithaca Cooperative Nursey School (1)
 Ithaca Farmer's Market (2)
 Ithaca Festival (1)
 Ithaca Festival (3)
 Ithaca High School (1)
 Ithaca Intercultural Institute (1)
 Ithaca Masonic Bodies (1)
 Ithaca Men's and Women's Bowling Assoc.
 (2)
 Ithaca Neighborhood Housing Services (3)
 Ithaca Performing Arts Center (2)
 Ithaca Piano Trio (1)
 Ithaca Power Squadron (1)
 Ithaca Radio Control Society (1)
 Ithaca Rape Crisis (6)
 Ithaca Rotary Club (3)
 Ithaca Textile Arts Guild
 Ithaca Times (2)
 Ithaca Women Speak (4)
 Ithaca Women's Club (1)
 Ithaca Youth Bureau (10)
 Ithacare (2)
 Jacksonville Church (1)
 Japan-US Assoc (1)
 Johnson City Senior Center (1)
 Kidney Mime Theatre (1)
 Kitchen Cupboard (1)
 Kitchen Theatre (5)
 Kiwanis Club (2)
 Labor Coalition (1)
 Lansing Fire Department (1)
 Lansing High School (2)
 Lansing Historical Association (1)
 Lansing Lions Club (1)
 Lansing Methodist Church (1)
 Lansing Middle School (1)
 League of Women Voters (6)
 Liberty Committee (1)
 McClean Church (1)
 Mental Health Assoc of Tompkins County
 (5)
 Micky Roof (1)
 Ness-Sibley Funeral Home (1)
 Newfield Elementary School (1)
 Newfield Fire Co. (1)
 Newfield High School (4)
 Newfield Lioness Club (2)
 Offender Aid and Restoration (2)
 Olive Tjaden Gallery (1)
 P-Flag (4)
 Parents Together (3)
 Park School Student Media (1)
 Patchwork Therapeutic Riding Center (5)
 Peace Studies Program (1)
 Planned Parenthood (1)

Project Health Care (1)
Recycle Ithaca's Bicycles (1)
Republican Party (1)
Roy H. Park School (1)
RSVP (9)
Salvation Army (2)
Saviours' Day (1)
Sciencenter (7)
Service League (2)
Seven Valley Chorus of Sweet Adelines (1)
Slaterville Springs Volunteer Fire Co. (1)
Southside Community Center (1)
SPCA (5)
Special Children's Center (5)
Spencer/Candor Lions (1)
St. John's Episcopal Church (1)
State of the Art Gallery (2)
State Theatre (1)
Suicide Prevention and Crisis (5)
Sunday Reading Series
Support Group for Attention Deficit
Disorder (1)
Support Group for Crossdressers (1)
Survivors of Child Abuse (3)
Tompkins Co. Family Day Care Assoc (3)
Tompkins Co. Office of the Aging (7)
Trumansburg High School Drama (1)
Tompkins Co. Public Library (1)
Tompkins Co. Quilters Guild (1)
Tompkins Co. Senior Citizens Council (3)
TC3 (6)
Temple Beth-El (2)
The Dressing Room (2)
The Fellowship of Reconciliation (1)
The Haunt (1)
Tibetan Summer Picnic (1)
Titus Towers Tenant Council (1)
Toast Masters International (1)
Tompkins Co. Bar Association (1)
Tompkins Co. Head Start (2)
Tompkins Co. Health Dept. (2)
Tompkins Co. Senior Citizen (2)
Tompkins-Cortland Homebuilders Assoc (1)
Town of Ulysses (1)
Tri-States Dog Show (1)
Trumansburg Conservatory of Fine Arts (3)
Ulysses Philomatic Library
United Cerebral Palsy (1)
United Methodist Church of Dryden (2)

Varna Community Association
Varna United Methodist Church
Veteran Volunteer Fireman's
Veterans of Foreign Wars Post
Veterans of Foreign Wars Post
Waldorf School (6)
West Danby Fire and Rescue
Whiton Women's Chorale (1)
Women's Aglow Fellowship (2)
Women's Community Building
Women's Information Network
Y M C A (1)
Zonta International (1)

EXHIBIT D: Partial list of Non-Profit Organizations that have appeared as guests on PEGASYS shows in Ithaca, NY, over the past year. (Includes data from producers responsible for approximately 22% of available air time)

Affirmative Action Task Force, CU	Finger Lakes Gymnastic Team
Africana Studies, CU	Finger Lakes Independence Center
AIDS Work, Inc., of Tompkins Co.	Finger Lakes Land Trust
Alternative Community School Drama Club	Finger Lakes Runners Club
Alternatives Library	Firehouse Theatre
Alternatives to Violence Program	Fiscal Policy Institute
American Diabetes Assn, Central New York Chapter	Friendship Center
American Indian Program, CU	Gateway Theatre
American Legion	Girl Scout Troop #796
American Lung Association	Grassroots Festival
Area Congregations Together (CROP Walk)	Habitat for Humanity
Asian American Theater	Haitian Students Association, CU
Azarian Students Association, CU	Hangar Theater Next Stage program
Bib 'n Tucker	Hemlock Society
Bosnian Student Project	Information, Resistance, and Education
Caroline Lions Club	Ithaca Ballet
Caroline School (5th grade)	Ithaca City School Board Candidates Debates (2)
Cayuga Community Role Players	Ithaca College Theater
Cayuga Nature Center	Ithaca Community Chorus
Center for Religion, Ethics, & Social Policy (CRESP)	Ithaca Community Gardens
City and Regional Planning, CU	Ithaca Festival Committee
Committee on US/Latin American Relations at Cornell (CUSLAR)	Ithaca for Wal-Mart
Community Arts Partnership	Ithaca Greens
Community Dispute Resolution Center	Ithaca Health Care Action Network (IHCAN)
Community Police Advocates Program	Ithaca High School Drama Dept.
Community School of Music and Art	Ithaca High School Women's Track
Cooperative Extension of Tompkins Co.	Ithaca Hours
Cooperative Protestant Ministry at Cornell	Ithaca Intercultural Institute
Cornell Greens	Ithaca Opera
Cornell Savoyards	Ithaca Peacemakers
Crisis Hostel Project	Ithaca Performing Arts Center
CRS Barn Studio	Ithaca Players
Displaced Homemakers of Tompkins Co.	Ithaca Rape Crisis, Inc.
Dressing Room	Ithaca Rotary Club
Drop-In Center	Ithaca UUSC
Dryden Footlighters	Ithaca War Tax Resisters
Friendship Center	Ithaca Youth Bureau's One-To-One Program
EcoJustice Project	Ithacare
EcoVillage Ithaca	John Birch Society
Educate the Children, Inc.	Kidney Mime Theater
Environmental Dispute Resolution Working Group, CU	Kitchen Theater
	Latin American Studies Program, CU

Learning Web
Mexican Association at Cornell
Multicultural Resource Center
Neighborhood Legal Services
Never Again Campaign
New-Fields of Fun Historical Playground
Committee
Offender Aid and Restoration (OAR)
Orange Tree Theater
Pastors for Peace
Planned Parenthood of Tompkins Co.
Prisoners Legal Service
Physicians for Social Responsibility
Planned Parenthood of Tompkins County
Ploughshares
Prisoners Legal Service of NY
Religious Committee on Health Care
Risley Theatre
Russian Children's Choir Coordinating
Committee
St. Catherine of Siena Human Ministry
Committee
Semje Mira
Shoestrings and Grace
Social Security Administration, Ithaca Office
Southeast Asia Program, CU
Southside Community Center
Southside Festival
State of the Art Gallery
Stewart Park Summer Day Camp
Stop Wal-Mart Campaign
Suicide Prevention and Crisis Service
Sweet Adelines
Theatre Cornell
Tibetans in Exile
Tobacco Control Coalition
Tompkins Co. Greenways Coalition
Tompkins Co. Interfaith US-Cuba
Friendship Committee
Tompkins Co. Planning Office
Tompkins-Cortland Labor Coalition
Tompkins-Cortland Theater Company
Toys for Tots Program
US-Russian Cross-Support Group
Veterans of Foreign Wars
White Allies Against Racism (Alternatives
Community School)
Whistling Shrimp
Witness For Peace

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
TELEPHONE COMPANY-)
CABLE TELEVISION) CC Docket No. 87-266
Cross-Ownership Rules,)
Sections 63.54-63.58)
)
and)
)
Amendments of Parts 32, 36,) Rulemaking No. 8491
61, 64, and 69 of the)
Commission's Rules to)
Establish and Implement)
Regulatory Procedures for)
Video Dialtone Service)

AFFIDAVIT IN SUPPORT OF COMMENTS

To: The Commission

1. My name is Lisa Matthews. I am the manager of Community Television, a public access center in Raleigh, NC operating pursuant to a cable franchise. Section 611 of the Communications Act of 1934, as amended authorizes municipal and state franchising authorities to request that cable operators support cable access by public, educational, and governmental ("PEG") entities.
2. Community Television is a member of The Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. Community Television has been in operation for 8 years; I have been manager of the center for 4 years, since 1990.
4. Local religious, charitable, and community organizations are regular users of my facilities. Among the organizations that have utilized the facilities of Community Television in the past year are: (A complete list is attached as exhibit A). This is in accordance with both the letter and the spirit of Section 611, which requires that PEG centers meet the communications needs of the localities in which a cable franchise operates.

5. Community Television receives its operating and capital funds as a grant from the cable operator as provided under the terms of Raleigh's franchise agreement.
6. Section 611 of the Communications Act of 1934 permits local franchising authorities to request PEG access and facilities from a cable franchise when such franchise is initiated or comes up for renewal. The existence of most PEG facilities rests upon franchising authorities' insistence that such facilities be a condition of franchise.
7. The Federal Communications Commission is considering promulgating further regulations on persons maintaining common-carrier services providing video images, or "video dial-tone" ("VDT").
8. The Federal Communications Commission is considering the promulgation of such regulations without requiring a use-fee structure which would be economically equivalent the costs imposed on cable operators to, among other matters, ensure the continuance of PEG access.
9. The inequitable treatment of similar video transmission services may result in uneven economic pressures. These pressures will cause cable operators to cease offering PEG access to franchise authorities in order to remain competitive with non-franchiseable VDT services. PEG centers will close as individuals shift from cable to VDT and franchise fee collections shrink.
10. If Community Television is forced to close because the cable operator and franchising authority cannot agree to its continuation, then individuals and organizations who currently utilize the facilities of the station will be forced into the commercial marketplace.
11. A half-hour of television time (including in-studio production and all post-production costs), which is free of charge on PEG channels, would cost \$ 660.00 on Victory Television , the next- lowest-cost option for would-be cable program producers in Raleigh. This includes \$360 for leased access time, and \$300 for post-production services.
12. Many of our users would find such fees out of their range and would cease cablecasting altogether. Approximately 60 percent of the private non-profit organizations that use our PEG facilities on a regular basis have yearly budgets of less than \$ 200,000. An entity which wanted to retain its schedule of broadcasting weekly would have to spend its entire budget and more to maintain the same programming schedule within the private sector.
13. The erosion of PEG access could have significant deleterious effects on the practical enactment of First Amendment ideals.
14. VDT regulation which subjects both media to the same PEG requirements is the only

method that will guarantee the existence of PEG access in a context of
elecommunications competition.

I submit that the foregoing is truthful, based on personal knowledge, information, and
belief.

Respectfully submitted,

by

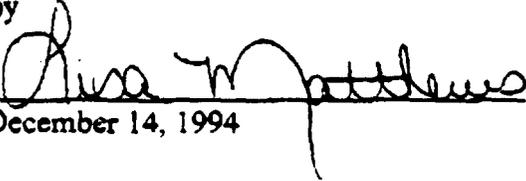

December 14, 1994

EXHIBIT A

**Aids Service Agency
Food Bank of North Carolina
Haven House
United Way
Christian Faith Baptist Church
Fishers of Men
Mediation Services of Wake County
Women's Center
Loaves And Fishes
Mt. Olivet Baptist Church
Word Of Living God Fellowship
Wake Opportunities
North Carolina Coalition on Adolescent Pregnancy
First Presbyterian Church
Florence Crittenton Services
YMCA
Salvation Army
Abundant Life Christian Center
Biblical Wellness Ministries
Boys & Girls Club
InterAct
Southlight
Hopeline Inc.
Catholic Diocese of Raleigh
Apex Baptist Church
Providence Holy Church
Hospice of Wake County
American Society of Training Development
Forest Hills Baptist Church
Caring Program for Children
Foundation for Voter Information
John Locke Foundation
Mt. Vernon Baptist Church
Glorious Church
Higher Call Cosmopolitan Church
Shaw University
Raleigh Cable Toastmasters
Raleigh Ringers
Body of Christ Ministries
Friends of EWTN
Wake County Schools
Upper Room
Raleigh Rescue Mission
Arthritis Foundation**

EXHIBIT A (Continued)

- Vietnam Vets
- Red Cross
- Heart Association
- Make A Wish Foundation
- Habitat for Humanity
- SCORE
- Gay/Lesbian Helpline
- AIDS Interfaith Network
- Lutheran Family Services
- Drug Interaction Inc.
- Catholic Parish Outreach
- American Diabetes Association
- Raleigh Amateur Radio Society
- The Empowerment Project
- United Ostomy Association
- Crohns/Colitus Foundation
- Wake Mediation Inc.
- Watts Chapel Baptist Church
- Dispute Resolution of Raleigh



miami valley
cable council

1195 E. Alex-Bell Road / Centerville, Ohio 45459 / Phone: (513) 438-8887 Fax: 438-8569

A municipal communications group

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of

TELEPHONE COMPANY-
CABLE TELEVISION
Cross-Ownership Rules,
Sections 63.54-63.58

CC Docket No. 87-266

and

Amendments of Parts 32, 36,
61, 64, and 69 of the
Commission's Rules to
Establish and Implement
Regulatory Procedures for
Video Dialtone Service

Rulemaking No. 8491

AFFIDAVIT IN SUPPORT OF COMMENTS

To: The Commission

1. My name is Tracy A. Jayne. I am the Director of Cable Operations for the Miami Valley Cable Council (MVCC), a public, educational and government access center in the South Dayton, Ohio, suburbs operating pursuant to a cable franchise. Section 611 of the Communications Act of 1992, as amended authorizes municipal and state franchising authorities to request that cable operators support cable access by public, educational, and governmental ("PEG") entities.
2. MVCC is a member of the Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. MVCC has been in operation for 19 years; I have been Director of Cable Operations of the center for 10 years, since 1984.
4. Local religious, charitable, and community organizations are regular users of our facilities. Among the organizations that have utilized the facilities of MVCC in the past year are The League of Women Voters, United Way agencies, numerous area churches, 6 school districts, and 9

municipalities. This is in accordance with both the letter and spirit of Section 611, which requires that PEG centers meet the communications needs of the localities in which a cable franchise operates.

5. MVCC receives its funding primarily through "franchise fees, through the franchise authority to the facility," which constitute percent of the total yearly operating budget for the facility.

6. Section 611 of the Communications Act of 1934 permits local franchising authorities to request PEG access and facilities from cable franchise when such franchise is initiated or comes up for renewal. The existence of most PEG facilities rests upon franchising authorities' insistence that such facilities be a condition of franchise.

7. The Federal Communications Commission is considering promulgating further regulations on persons maintaining common-carrier service providing video images, or "video dial-tone ("VDT").

8. The Federal Communications Commission is considering the promulgation of such regulations without requiring a use fee structure which would be economically equivalent to the costs imposed on cable operators to, among other matters, ensure the continuance of PEG access.

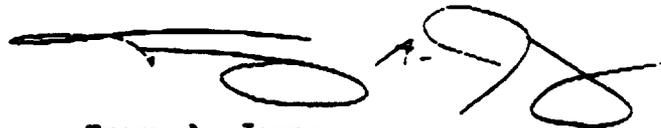
9. The inequitable treatment of similar video transmission services will result in uneven economic pressures. These pressures will cause cable operators to cease offering PEG access to franchise authorities in order to remain competitive with non-franchising VDT services. PEG centers will close as individuals shift from cable to VDT and franchise fee collections shrink.

10. If MVCC is forced to close because the cable operator and franchising authority cannot agree to its continuation, then individuals and organizations who currently utilize the facilities of the state will be forced into the commercial marketplace.

11. A half-hour of television time (including in-studio production and all post-production costs), which is free of charge on PEG channels, would cost roughly \$2,000 to \$3,000 on local broadcast channels. This cost option would be the lowest for program producers in Dayton.
12. Many of our users would find such fees out of their range and would cease cablecasting altogether. An entity which wanted to retain its schedule of broadcasting weekly would have to spend its entire budget and more to maintain the same programming schedule within the private sector.
13. The erosion of PEG access could have significant deleterious effects on the practical enactment of First Amendment ideals.
14. VDT regulation which subjects both media to the same PEG requirements is the only method that will guarantee the existence of PEG access in a context of telecommunications competition.

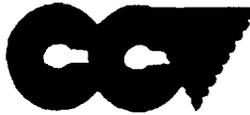
I submit that the foregoing is truthful, based on personal knowledge, information, and belief.

Respectfully submitted,



Tracy A. Jayne
Director of Cable Operations

December 14, 1994



CINCINNATI COMMUNITY VIDEO

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of

TELEPHONE COMPANY-
CABLE TELEVISION
Cross-Ownership Rules,
Sections 63.54 - 63.58

and

Amendments of Parts 32, 36,
61, 64, and 69 of the
Commission's Rules to
Establish and Implement
Regulatory Procedures for
Video Dialtone Service

CC Docket No. 87-266

Rulemaking No. 8491

COMMENTS

To: The Commission

These Comments are being filed in response to the notice of proposed rulemaking #8491, specifically regarding issues of preferential access.

- 1. My name is Joyce Miller. I am Executive Director of Cincinnati Community Video which is a not-for-profit, community access television organization operating the public and educational access channels (PEG) in Cincinnati, Ohio. We are operating pursuant to a cable franchise adopted by the City of Cincinnati, Ohio. Section 611 of the Communications Act of 1934, as amended, authorizes municipal and state franchising authorities to request that cable operators support cable access by PEG entities.**
- 2. Cincinnati Community Video is a member of the Alliance for Community Media, a not-for-profit association representing PEG access centers nationwide.**

3. Cincinnati Community video has been in operation for five years; community access has been a part of the cable franchise in Cincinnati for thirteen years. I have served as Executive Director of Cincinnati Community Video since its inception in 1989. I have served as manager of community access prior to that time (from 1982-1989) when community access was operated by Warner Cable of Cincinnati.
4. Thousand of institutions, organizations, individuals and religious groups regularly use our facilities. Among organizations that have utilized Cincinnati Community video in the past year are 53 religious institutions and groups providing 85 weekly programs; 26 schools, colleges and universities providing daily, weekly and monthly programs; and 69 organizations with monthly, weekly or special programs. (A partial list of the institutions and organizations is attached as Exhibit A. There are well over 1,000 non-profits and schools in our community that Cincinnati Community has helped.)

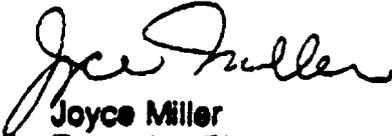
This is in accordance with both the letter and the spirit of Section 611, which requires that PEG centers meet the communications needs of the localities in which a cable franchise operates.

5. Cincinnati Community Video receives funding primarily through franchise fees, as specified by our local franchising authorities pursuant to terms of the City of Cincinnati's franchise agreement. Less than one percent of our operating budget comes from grants and contributions.
6. Section 611 of the Communications Act of 1934 permits local franchising authorities to request PEG access and facilities from a cable franchisee when such franchise is initiated or comes up for renewal. The existence of Cincinnati Community Video rests upon our franchising authorities' insistence that these facilities be a condition of the local franchise.
7. The Federal Communications Commission is considering promulgating further regulations on persons maintaining common-carrier services providing video images, of "video dial tone" (VDT).
8. The Federal Communications Commission is considering promulgating of such regulations without requiring a use-fee structure which would be economically equivalent to the costs imposed on cable operators to, among other matters, ensure the continuance of PEG access.
9. The inequitable treatment of similar video transmission services may result in uneven economic pressures. These pressures would cause cable operators to cease offering PEG access to franchise authorities in order to remain competitive with non-franchised VDT services. Also, PEG access centers would close as customers shift from cable to VDT and franchise fee collections shrink.

10. If Cincinnati Community Video is forced to close because the cable operator and franchising authority cannot agree to its continuation, then individuals and organizations who currently utilize these facilities will be forced into the commercial marketplace.
11. One half-hour of television time (including in-studio production and all post-production costs), which is free of charge through Cincinnati Community Video, would cost \$1,100 at Warner Cable's local origination studio, the next lowest cost option for cable program producers in the Cincinnati area. The price includes \$400 for leased access time, \$300 for studio time, and \$225 for post-production services. For non-cable access facilities, I have found costs at about \$6,000 for a one-hour production.
12. Many of our users would find even leased access fees out of their range and would cease cablecasting altogether. Ninety percent of the non-profit organizations that regularly use our PEG facilities have annual media budgets under \$10,000. To retain a schedule of weekly or even monthly productions using private sector facilities, a non-profit group would spend its entire budget and more.
13. The erosion of PEG access could have significant deleterious effects on the practical enactment of First Amendment ideals.
14. VDT regulation which subjects both media to the same PEG requirements is the only method that will guarantee the existence of PEG access in a context of telecommunications competition.

I submit that the foregoing is truthful, based on personal knowledge, information and belief.

Respectfully submitted,


Joyce Miller
Executive Director
Cincinnati Community Video
3130 Wasson Road
Cincinnati, OH 45209

December 14, 1994

EXHIBIT A

SCHOOLS USING CINCINNATI COMMUNITY VIDEO EDUCATIONAL ACCESS IN 1994

ELEMENTARY AND SECONDARY SCHOOLS

- | | | |
|-----|--|--|
| 1. | Cincinnati Country Day School | Profiles of the Holocaust |
| 2. | Cincinnati Public Schools
Cincinnati Public Schools
Cincinnati Public Schools
Cincinnati Public Schools
Cincinnati Public Schools
Cincinnati Public Schools | Dial-A-Teacher homework program
Bi-monthly school board meetings
School Message Board
Cable in the Classroom programs
Department of Ed. Goals 2000
Special programs; budget explanation |
| 3. | Alken High School | basketball |
| 4. | C.A.P.E. Elementary | May Day show |
| 5. | Eastern Catholic Alliance
of Schools | Sister Cities program |
| 6. | Elder High School | Game of the Week |
| 7. | Hughes Center | programs on teen violence, AIDS,
freshman focus, exercise, prom, etc. |
| 8. | McAuley High School | Schmidlapp workshops |
| 9. | Pleasant Hills School | safety program for children |
| 10. | Purcell-Marian High School | girls basketball |
| 11. | Roger Bacon High School | Band program |
| 12. | Taft High School | basketball |
| 13. | Trinity Christian School | overview of school |
| 14. | St. Mary's School | programs on the rain forest, TV violence |
| 15. | St. Vivian's | football program |
| 16. | School for the Creative and
Performing Arts | Powerful Young Black Women program |
| 17. | Schwab Middle School | series of programs on public school teen
pregnancy programs |
| 18. | Seven Hills Schools | Space Shuttle program |
| 19. | Western Hills High School | overview of the school |
| 20. | Withrow High School | program on horticulture |
| 21. | Woodward High School | girls basketball |

COLLEGES AND UNIVERSITIES

- | | | |
|-----|--|--|
| 22. | University of Cincinnati
University of Cincinnati

University of Cincinnati
University of Cincinnati | Managing Diversity
Electronic Media Division - Deutsche
Welle (German language news)
College of Law on poverty & housing
Electronic Media Division Student news |
| 23. | The Union Institute | Mind Extension University (daily GED
program) |
| 24. | Xavier University | Television Department |
| 25. | Northern Kentucky University | Afrocentricity and other programs |
| 26. | Morehouse College | Glee Club program |

**NOT-FOR-PROFITS USING PUBLIC ACCESS CHANNELS THROUGH
CINCINNATI COMMUNITY VIDEO IN 1994**

1.	A Day In Eden	Cincinnati Neighborhoods Festival
2.	American-Hungarian Society	Footsteps of Franz Liszt
3.	America Jewish Committee	Simon Lazarus, Jr., Awards
4.	Archdiocese of Cincinnati	Mass and counselling programs
5.	Arts Consortium	Cotton Club event
6.	Association of Professional Recording Artists	local entertainers
7.	Beth Messiah	Messianic Judaism
8.	Better Housing League	various housing issues
9.	Black Family Reunion	national event coverage
10.	Black Male Coalition	Motivating Youth programs
11.	Children's Hospital	All About Kids
12.	Children's Hospital Medical Center	childhood trauma, patient care
13.	Cincinnati AFL-CIO	labor issues
14.	Cincinnati Art Club	exhibition Cincinnati Art Orbit
15.	Cincinnati Artist Group Effort	art exhibit
16.	Cincinnati Association for the Blind	overview of organizational services
17.	Cincinnati Chapter of AVOC	public service announcements on AIDS walk
18.	Cincinnati Chapter of the Ohio Society of Professional CPA's	Information on accounting as a career choice
19.	Cincinnati Community Video	Internet: How to use it
20.	Cincinnati Community Video	Reading Dr. Seuss
21.	Cincinnati Historical Society	historical series
22.	Cincinnati Public Library	musical programs
23.	Cincinnati Speech and Hearing Center	Prevention of stuttering
24.	Cincinnati Symphony	winter concert
25.	Youth Orchestra	original readings programs
26.	Cincinnati Writers' Project	Clean Streets program
27.	Clean Cincinnati, Inc.	roundtable discussions
28.	Coalition of Neighborhoods	event
29.	Community Action Commission	performance
30.	Contemporary Dance Theater	Ecumenical programming
31.	Council of Christian Communions	series on mind, body and behavior
32.	Drake Center	mid-life discussion
33.	Family Services of Cincinnati	Housing and Urban Development
34.	Federal Housing Authority	
35.	County Youth Conference	event coverage
	Harriet Beecher Stowe House	Jewish Folk Festival
	Hillel Center	

36.	Human Involvement Project	American Negro Spiritual Festival
37.	Integrity Hall	Women's Sports Hall of Fame, other programs
38.	Interdenominational Cantata Choir	music program
39.	Junior Achievement	info on JA
40.	League for Animal Welfare	Picking Pets
41.	League of Women Voters	Series of forums
42.	Life Services	The ABC's of Self-Worth
43.	Greater Cincinnati Foundation in conjunction with Cincinnati Community Video	Teen curfew program
43.	Hyde Park Center for Older Adults	Information on aging youth at risk program
44.	House of Refuge Mission	
45.	IBPOE of Elks	event
46.	Juneteenth	Christmas Concert
47.	Kolping Society	weekly public affairs program
48.	NAACP Presents	Party Issues
49.	National Republican Committee	Boxing programs
50.	Northside Boxing School	advances in drug therapy
51.	Ohio Pharmaceutical Network	dream program
52.	Ohio Satsang Society	overview of the year; issues, events
53.	Planned Parenthood	Thanksgiving Day Parade
54.	Price Hill Historical Society	Proceed with Caution play
55.	Quality Theatre Players	overview on race relations day
56.	Race Relations Conference	
57.	Riverview House Resident Council	event coverage
58.	Seven Hills Sweet Adelines	music program
59.	Taft Museum	public show on Wini McQueen
60.	Tri-State Turkish American Association	various programs on Turkish culture & life
61.	United Home Hospice Care	Living With Grief
62.	United Way	Spotlight on different United Way charities
63.	Urban Appalachian Council	Community mural project
64.	Urban League	gala and awards
65.	Westwood Civic Association	neighborhood program
66.	Women's City Club	program on politics for people
67.	Women Helping Women	Women's Issues programs
68.	YMCA Camp Ernst	student program
69.	YWCA	Career Women of Achievement



Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washginton, D.C. 20554

In the matter of)) TELEPHONE COMPANY-) CABLE TELEVISION) Cross-Ownership Rules,) Sections 63.54-63.58)) and)) Amendments of Parts 32, 36) 61,64 and 69 of the) Commission's Rules to) Establish and Implement) Regulatory Procedures for) Video Dialtone Service)	CC Docket No. 87-266 Rulemaking No. 8491
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AFFIDAVIT IN SUPPORT OF COMMENTS

To: The Commission

1. My name is Francine J. Rakel. I am the Executive Director of Dayton Access Television ("DATV"), a public access center in Dayton, Ohio operating pursuant to a cable franchise. Section 611 of the Communications Act of 1934, as amended authorizes municipal and state franchising authorities to request the cable operators support cable access by public, educational and governmental ("PEG") entities.
2. DATV is a member of the Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. DATV has been in operation for 15 years; I have been Executive Director of the Center for four years, since 1991.

Page two

4. Local religious, charitable and community organizations are regular users of my facilities. Among the organizations that have utilized the facilities of DATV in the past year are the League of Women Voters, Dayton City Commission, the "Teen Center" of the local YWCA, the local Chamber of Commerce and the United Way. This is in accordance with both the letter and spirit of Section 611, which requires that PEG centers meet the communications needs of the localities in which a cable franchise operates.

5. DATV receives its funding primarily through franchise fees which are passed through the franchise authority to the station.

6. Section 611 of the Communications Act of 1934 permits local franchising authorities to request PEG access facilities from a cable franchise when such franchise is initiated or comes up for renewal. The existence of most PEG facilities rests upon the franchising authority's insistence that such facilities be a condition of the franchise.

7. The Federal Communications Commission is considering promulgating further regulations on persons maintaining common-carrier services providing video images or "video dial-tone" ("VDT").

8. The Federal Communications Commission is considering the promulgation of such regulations without requiring a use fee structure which would be economically equivalent to the costs imposed on cable operators to, among other matters, ensure the continuance of PEG access.

9. The inequitable treatment of similar video transmission services

Page three

may result in uneven economic pressures. These pressures will cause cable operators to cease offering PEG access to franchise authorities in order to remain competitive with non-franchiseable VDT services. PEG centers will close as individuals shift from cable to VDT and franchise fee collections shrink.

10. If DATV is forced to close because the cable operator and franchising authority cannot agree to its continuation, then individuals and organizations who currently utilize the facilities of the station will be forced into the commercial marketplace.

11. A half-hour of television time which is free of charge on PEG channels would cost approximately \$700.00, the next-lowest-cost option for a would-be cable program in Dayton, Ohio.

12. Many of our users would find such fees out of their range and would cease cablecasting altogether. An entity which wanted to retain its schedule of broadcasting weekly would have to spend its entire budget and more to maintain the same programming schedule within the private sector.

13. The erosion of PEG access could have significant deleterious effects on the practical enactment of First Amendment ideals.

14. VDT regulation which subjects both media to the same PEG requirements is the only method that will guarantee the existence of PEG access in a context of telecommunications competition.

I submit that the foregoing is truthful, based on personal knowledge, information and belief.

Respectfully submitted,

December 14, 1994

Francine J. Rakel
Executive Director, DATV

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
TELEPHONE COMPANY-)	
CABLE TELEVISION)	CC Docket No. 87-266
Cross-Ownership Rules,)	
Sections 63.54-63.58)	
)	
and)	
)	
Amendments of Parts 32, 36,)	Rulemaking No. 8491
61, 64, and 69 of the)	
Commission's Rules to)	
Establish and Implement)	
Regulatory Procedures for)	
Video Dialtone Service)	

To the Commission:

DRAFT

COMMENTS OF
WAYCROSS COMMUNITY TELEVISION

Waycross Community Television submits these comments in response to rulemaking number 8491, specifically regarding issues of preferential access and in support of the comments filed in this proceeding by the Alliance for Community Media.

1. My name is Gregory Vawter. I am Executive Director of the Community Programming Board which operates Waycross Community Television, a public, educational and governmental (or PEG) access center in Forest Park, Ohio, operating pursuant to cable franchises adopted by the City of Forest Park, Village of Greenhills and Springfield Township, Ohio. Section 611 of the Communications Act of 1934, as amended, authorizes municipal and state franchising authorities to request that cable operators support cable access by PEG entities.
2. The Waycross Community Programming Board is a member of the Alliance for Community Media, a non-profit association representing PEG access centers nationwide.
3. Waycross Community Television has been in operation for twelve years; I have managed the center since its beginning in 1982.
4. Local religious, charitable, and community organizations regularly use our facilities. Among organizations that have utilized Waycross Community Television in the past year are 16 area churches and religious groups, 58 local schools, and 30 local government agencies. (A complete list of 148 nonprofit agencies using Waycross access during 1994 is attached as exhibit A.)