

communications needs of the localities in which a cable franchise operates.

5. Waycross Community Television receives funding primarily through franchise fees as specified by our local franchising authorities, in addition to direct provisions of access facilities by the cable operator, pursuant to terms of our three (Forest Park, Greenhills and Springfield Township) identical franchise agreements. 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 Waycross Community Television 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, or "video dial-tone" (VDT).
8. The Federal Communications Commission is considering 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 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-franchised VDT services. Also, PEG access centers will close as customers shift from cable to VDT and franchise fee collections shrink.
10. If Waycross 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 \$1,100 at Warner Cable's studio, the next - lowest-cost option for cable program producers in the Cincinnati area. This price includes \$400 for leased access time, \$300 for studio time, and \$225 for post-production services. For other than leased access facilities, a quote has come back at \$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. Eighty percent of the private non-profit organizations that regularly use our PEG facilities have annual budgets under \$200,000. To retain its schedule of weekly cablecasts using private sector

percent of the non-profit organizations that regularly use PEG facilities have annual media budgets under \$10,000. To retain a schedule of weekly or even monthly productions using private sector facilities, a nonprofit 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,

A handwritten signature in black ink, appearing to read "Gregory R. Vawter". The signature is written in a cursive style with a large initial "G".

Gregory R. Vawter

December 14, 1994.

1. Amelia Middle School
2. American Lung Association
3. Anderson High School
4. Anderson Middle School
5. Archdiocese of Cincinnati
6. Assumption Elementary School
7. Beechwoods Elementary School School
8. Bergamo Center
9. Boy Scouts of America
10. Cameron Park Elementary School
11. Catholic Alumni Club
12. Central Baptist School
13. Central States Alliance for Community Media
14. Christ Church
15. Christian Blue Pages
16. Cincinnati Academy of Medicine
17. Cincinnati Black Family Reunion
18. Cincinnati Choral Society
19. Cincinnati Office of Environmental Management
20. City of Forest Park
21. Clean Cincinnati
22. Clovernook Center for the Blind
23. Clovernook Elementary School
24. Cottonwood Elementary School
25. Denny Buehler Memorial Fund
26. Drug Abuse Resistance Education (DARE)
27. Employer Healthcare Alliance
28. Fairfield High School
29. Finneytown Civic Association
30. Finneytown High School
31. Finneytown High School Athletic Boosters
32. Finneytown Local School Board
33. Finneytown Middle School
34. Forest Park Baseball Association
35. Forest Park Business Association
36. Forest Park Environmental Awareness & Recycling
37. Forest Park Fire Department
38. Forest Park Homeowners Association
39. Forest Park Police Department
40. Forest Park Police Explorers
41. Forest View Elementary School School
42. Free Store Foodbank
43. Frost Elementary School
44. Goodwill Industries
45. Greener Elementary School
46. Greenhills Alumni Association
47. Greenhills American Legion Auxillary 530
48. Greenhills Baseball Association
49. Greenhills Civic Association
50. Greenhills Fire Department
51. Greenhills Historic Society

52. Greenhills Police Department
53. Greenhills/Forest Park Kiwanis
54. Hamilton County Board of Elections
55. Hamilton County Board of Mental Retardation
56. Hamilton County Commission
57. Hamilton County Fair Board
58. Hamilton County Park District
59. Hamilton County Police Chiefs' Association
60. Hamilton County Sheriff's Department
61. Hamilton County Solid Waste Management District
62. Hamilton High School
63. Hamilton/Clermont Coop. Assn. of School Boards
64. Harrison High School
65. HomeSchool Network
66. Hoop Elementary School
67. I.D.M.R. Church
68. Indian Hill High School
69. Jewish Community Center
70. Josie Becker Elementary School
71. Kemper Heights Elementary School
72. Kiwanis Clubs of Ohio-6th Divison
73. Lakeside Elementary School
74. LaSalle High School
75. League of Women Voters
76. Lexington Heights Civic Association
77. McCauley High School
78. Moeller High School
79. Mount Healthy Alumni Association
80. Mount Healthy City School Board
81. Mount Healthy High School
82. National Middle School Association
83. New Burlington Elementary School
84. North College Hill City School Board
85. North College Hill High School
86. North Suburban Swim League
87. Northern Hills Fire Department
88. Northern Hills Synagogue
89. Northwest High School
90. Northwest School Board
91. Ohio Bureau of Employment Services
92. Ohio Business Teachers Association
93. Ohio Crime Prevention Association
94. Ohio Healthcare Board
95. Ohio High School Athletic Association
96. Ohio Historic Preservation Office
97. Ohio Valley Network
98. Our Lady of the Rosary Parrish
99. Our Lady of the Rosary School
100. Parham Elementary School
101. Pleasant Run Farms Civic Association
102. Powell Crosley YMCA

103. Princeton High School
104. Prison Family Outreach
105. Project Nehemiah
106. Promote Wyoming Committee
107. Public Library of Cincinnati & Hamilton County
108. Quinn Chapel
109. Rex Ralph Elementary School
110. Rex Ridgeway House
111. Right to Life
112. Roger Bacon High School
113. Ruth Lyons Childrens Christmas Fund
114. SCSEP Senior Employment Program
115. Senior Olympics
116. Senior Services
117. Sickle Cell Anemia Association
118. Southwest Ohio Swimming Association
119. Southwest Ohio Wrestling Coaches Association
120. Springfield Township
121. Springfield Township Police Department
122. St Margaret Mary Elementary School
123. St. Bartholomew Elementary School
124. St. Dominic Elementary School
125. St. James Church of the Valley
126. St. John Neuman Parrish
127. St. Martin of Tours Elementary School
128. St. Mathias Parrish
129. St. Vincent DePaul Society
130. St. Vivian Elementary School
131. St. Xavier Alumni Association
132. St. Xavier High School
133. Teens Against Premarital Sex
134. The Ohio Department of Transportation
135. Truth Universal Baptist Church
136. Ursline Academy
137. Victory Church
138. Village of Greenhills
139. Village Voices
140. Welch Elementary School
141. Whitaker Elementary School
142. Winton Forest Elementary School
143. Winton Woods City School Board
144. Winton Woods High School
145. Winton Woods Middle School
146. Wyoming Fire Department
147. Wyoming Historical Society
148. Wyoming Middle School



**Wadsworth Community Television
625 Broad Street
Wadsworth, Ohio 44281
216-336-7919**

**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

**COMMENTS OF
WADSWORTH COMMUNITY TELEVISION**

Wadsworth 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 John Madding. I am the Cable Access Manager of Wadsworth Community Television which operates a Public, Educational and Government access facility in Wadsworth, Ohio operating pursuant to a cable franchise with the City of Wadsworth. 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. Wadsworth Community Television is a member of the Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. Wadsworth Community Television has been operating for eleven (11) years; I have been the Cable Access Manager for six (6) years, since 1989.
4. Local religious, charitable, and community organizations are regular users of our facilities. Among the organizations that have utilized the facilities of Wadsworth Community Television in the past year are

A better community through communication.



**Wadsworth Community Television
625 Broad Street
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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. Wadsworth Community Television receives its funding primarily through franchise fees which are passed through the franchise authority to the access facility, pursuant to the terms of the City of Wadsworth's franchise agreement. The remainder of our operating budget comes from grants and contributions, which constitute 16 percent of the total yearly operating budget for the station.
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 Wadsworth Community Television and most other PEG access facilities rests upon franchising authorities' 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 user-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 Wadsworth 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 these facilities will be forced into the commercial marketplace.
11. One half-hour television time (including in-studio production and post-production costs), which is free of charge through Wadsworth Community Television, would cost \$800 on Warner Cable, the next lowest-cost option for would-be cable program producers in Wadsworth or greater Akron area. This includes \$400 for leased access time, \$200 for studio time, and \$200 for post-production services.
12. Many of our users would find such fees out of their range and would cease cablecasting altogether. 100 percent of the non-profit organizations that regularly use our PEG facilities have an annual media budget of less than \$1,000. An entity which wanted to retain its schedule of cablecasting weekly would have to spend its entire operating 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

A better community through communication.



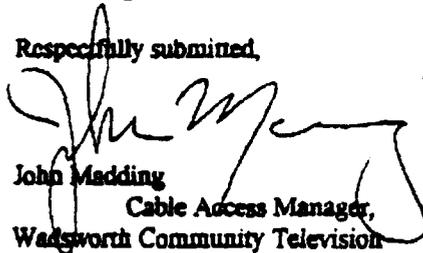
Wadsworth Community Television
625 Broad Street
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216-336-7919

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,



John Madding
Cable Access Manager,
Wadsworth Community Television

December 14, 1994.



Wadsworth Community Television
625 Broad Street
Wadsworth, Ohio 44281
216-336-7919

1994 Non-Profit User List: EXHIBIT A

1. Art and History Club
2. Blue Tip Festival, Inc.
3. Bud and Bloom Garden Club
4. Caroussel of Crafts
5. Church Women United
6. Eastern Star
7. Four Seasons Garden Club
8. Friends of the Library
9. Wadsworth Public Library
10. Wadsworth Public Schools
11. MADD, Wadsworth Chapter
12. Red Cross, Wadsworth Chapter/Summit County
13. United Way/Summit County/Medina County
14. Garden Club of Wadsworth
15. Kiwanis Club
16. Wadsworth Area Chamber of Commerce
17. Wadsworth Area Peace Fellowship
18. Sacred Heart Church
19. Grace Lutheran Church
20. Reimer Road Baptist Church
21. First Baptist Church
22. Wadsworth Methodist Church
23. Wadsworth Ministerial Association
24. Wadsworth Mennonite Church
25. Knights of Columbus
26. Rotary Club of Wadsworth
27. Lions Club of Wadsworth
28. VFW
29. Wadsworth Airmens Association
30. Wadsworth Child Study Club
31. Wadsworth Footlighters Community Theatre
32. Weathervane Community Playhouse Theatre
33. Coach House Community Theatre
34. Civic Theatre
35. Wadsworth Historical Association
36. Wadsworth Newcomers Club
37. Wadsworth-Rittman Hospital Auxillary
38. Wadsworth Firemens Auxillary
39. Wadsworth Swinging Stars
40. Womens Club of Wadsworth
41. Northside Christian Church
42. New Horizon Church of God
43. First Christian Church
44. Salvation Army



Wadsworth Community Television
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45. Mt. Zwingli United Church of Christ
46. Woodlawn Cemetery
47. Eastern Star Cemetery
48. O.J. Work Preservation Committee
49. Habitat for Humanity
50. Easter Seals
51. American Cancer Society
52. Girl Scouts of America
53. Boy Scouts of America
54. Drug Abuse Resistance Education (DARE)
55. Cascade Development Corporation
56. Akron Regional Development Board
57. City of Medina
58. Medina County
59. SADD
60. Medina County Soil & Water Conservation District
61. Medina County/OSU Extension
62. Center for Missing & Exploited Children
63. Medina County Humane Society
64. SPCA
65. City of Wadsworth
66. Center for Older Adults
67. Medina County YMCA
68. Archbishop Hoban High School
69. Wooster High School
70. Cloverleaf Local Schools
71. Norton City Schools
72. State Department of Development
73. State Representative Bill Batchelder
74. State Representative Grace Drake
75. U.S. Congressman, 13th District, Sherrod Brown
76. Medina County Republican Party
77. Wadsworth Young Democrats



MCTV

**Multnomah
Community
Television**

*Serving East
Multnomah County*

*Located at Mt. Hood
Community College*

26000 S.E. Stark St.
Gresham, OR 97030
503/867-7836
FAX 503/867-7417

**Programming
Services:**

- Public Access •
- Educational •
- Government •
- Community •
- East Metro Edition •

**MCTV Channels
Seen on Paragon
Cable:**

11

CAN

Community Access
Network

21

MCTV

Multnomah Community
Television

22

Community Bulletin Board
Live NASA Missions
(East County Only)

30

MPAC

Multnomah Public Affairs

31

Mind Extension University
(Portland Public Schools)

32

Educational Access
MHCC Telecourses
(East County Only)

33

Portland Cable Access

58

MCTV Program Guide
Video Newsletter
(East County Only)

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

In the Matter of)

TELEPHONE COMPANY-)

CABLE TELEVISION)

97-266)

Cross-Ownership Rules,)

Sections 63.54-63.58)

and)

Amendments of Parts 32, 36,)

No. 0491)

61, 64, and 69 of the)

Commission's Rules to)

Establish and Implement)

Regulatory Procedures for)

Video Dialtone Service)

CC Docket No.

Rulemaking

AFFIDAVIT IN SUPPORT OF COMMENTS

TO: The Commission

**1. My name is Robert Brading. I am the Executive Director of
Multnomah**

**Community Television (MCTV), a public access center Gresham,
Oregon 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.**



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Portland Cable Access

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MCTV Program Guide
Video Newsletter
(East County Only)

2. MCTV is a member of the Alliance for Community Media, a non-profit association representing PEG television stations nationwide.

3. MCTV has been in operation for 11 years; I have been Executive Director of MCTV for three years.

4. Local religious, charitable, and community organizations are regular users of my facilities. Among the organizations that have utilized the facilities of MCTV in the past year are Sickle Cell Anemia Foundation, Project Youth Employment Support Services, the World Wide Church of God, the Unity Church, the Boy Scouts, the Girl Scouts and many others. 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. MCTV receives its funding primarily through franchise fees, which are passed through the franchise authority to the facility. The remainder of its operating budget comes from grants and contributions, which constitute 10% of the total yearly operating budget for the station.

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 rests upon franchising authorities' insistence that such facilities be a condition of franchise.

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



MCTV

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MCTV Program Guide
Video Newsletter
(East County Only)

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 franchising 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 MCTV 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 \$1050 on the next lowest-cost option for would-be cable program producers in the Portland area. This includes \$300 for leased access time, \$ 500 for studio time, and \$ 250 for post-production services.

12. Many of our users would find such fees out of their range and would cease cablecasting altogether. Approximately 90% 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



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Community Access
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Community Bulletin Board
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(Portland Public Schools)

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MHCC Telecourses
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33

Portland Cable Access

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MCTV Program Guide
Video Newsletter
(East County Only)

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

by Robert Brading

December 14, 1994



**Thurston
Community
Television**

2940 Limited Lane

Olympia WA

98502

(206) 956-3100

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

In the Matter of)	
TELEPHONE COMPANY -)	CC Docket No. 87-266
CABLE TELEVISION)	
Cross-Ownership Rules,)	
Sections 63.54-63.580)	
)	
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

Community

Access

Television

For

Greater

Thurston

County

1. My name is Deborah S. Vinsel. I am the Executive Director of Thurston Community Television (TCTV) a public access center in Olympia, WA 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. TCTV is a member of The Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. TCTV has been in operation for ten years; I have been Executive Director of the center for 4 years, since November, 1990.
4. Local religious, charitable, and community organizations are regular users of my facilities. Among the 83 organizations that have utilized the facilities of TCTV in the past year are Fellowship of Reconciliation, the League of Women

Voters, the Olympia Chinese Fellowship and People First. 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 communicates needs of the localities in which a cable franchise operates.

5. TCTV receives its funding primarily through franchise fees, which are passed through the franchise authority to the station. The remainder of its operating budget comes from grants, contributions, and memberships, which constitute ten percent of the total yearly operating budget for the center.
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. The 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 Thurston 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 (including in-studio production and all post-production costs), which is free of charge on PEG channels, would cost several thousand dollars on the cable operators local origination channel, the next-lowest-cost option for would-be cable program producers in Olympia, WA. This includes \$100 per hour for leased channel time, \$1000 per day for studio time, and \$65 per hour for post production services.

12. Many of our users would find such fees out of their range and would cease cablecasting altogether. Seventy-five percent of the private non-profit organizations that use our PEG facilities on a regular basis have a yearly budget of less than \$200,000. An entity which wanted to retain its schedule of cablecasting 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 context of telecommunications competition.

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

Respectfully submitted, by:



Deborah S. Vinsel, Executive Director
Thurston Community Television
Olympia, WA

December 14, 1994



MILWAUKEE ACCESS
TELECOMMUNICATIONS AUTHORITY

1610 NORTH SECOND STREET
MILWAUKEE, WISCONSIN 53212
414-225-3560

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

In the Matter of)	
)	
TELEPHONE COMPANY-)	
CABLE TELEVISION)	CC Docket No. 87-266
Cross-Ownership Rules,)	
Sections 63.54--63.58)	
)	
and)	
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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 Velvalee Wiley. I am the Executive Director of Milwaukee Access Telecommunications Authority ("MATA"), a public access center in Milwaukee, Wisconsin 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. MATA is a member of The Alliance for Community Media, a non-profit association representing PEG television stations nationwide.
3. MATA has been in operation for 10 years; I have been Executive Director of the center for 3 years, since 1991.
4. Local religious, charitable, and community organizations are regular users of my facilities. Among the organizations that have utilized the facilities of MATA in the past year are United Way, ACHOICE, Free Teens, and Iglesia Genesis. 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. MATA receives its funding primarily through direct provision of access and services by the cable operator, pursuant to the terms of Milwaukee's franchise agreement. The remainder of its operating budget comes from grants and contributions, which constitute 16 percent of the total yearly operating budget for the station.

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 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 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 MATA 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 \$1800 on WVTV, the next-lowest cost option for would-be cable program producers in Milwaukee. This includes \$450 for leased access time, \$150 for studio 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. 80 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.

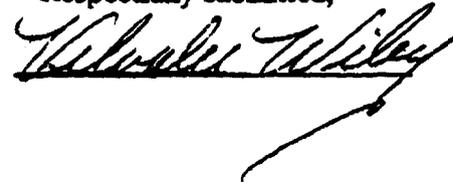
13. The erosion of PEG access could have significant deleterious effects on the practical enactment of First Amendment ideals.

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 contest of telecommunications competition.

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

Respectfully submitted,

by

A handwritten signature in cursive script, appearing to read "Thomas W. Wiley", written over a horizontal line.

December 14, 1994