Appendix A

March 29, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Chelmsford TeleMedia, the PEG access corporation for Chelmsford MA. We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Regarding this subject, I would like to voice our concern that not being included in the cable provider program guide adversely affects many in our community. Cable viewers are accustomed to using their providers program guides in order to find programming. Not being included in the guide is a barrier to local access providing.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Regarding this issue, we expend extra time, money and staff resources to down convert our content from HD to SD in order to be broadcast through the cable system. As you

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may be aware, SD video equipment is antiquated – even phones record in HD. Thus, we produce in HD. We feel we are being neglected by our cable providers in this regard.

Furthermore, having our channel on the SD tier is an adverse location on the *dial*. Most *channel-flippers* stay in the HD tier, and thus do not happen upon our programming as they are flipping. We have heard many community concerns about our dial location.

Another matter where we have concerns is technical standards. With one of our providers, Comcast, we are still transmitting via 20-yr old analog modulators. We have been asking for an upgrade for many years now. We have finally been promised one in our new contract. We are glad for that. But, the historically slow response of the cable provider has been a continual source of concern.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Pete Pedulla,
Executive Director, Chelmsford TeleMedia

.org

March 29, 2016

Easton Community Access Television
50 Oliver St. Suite 201a
North Easton, MA 02356

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Easton Community Access Television. We operate a community TV station for the public, education and government access in Easton, Massachusetts. We reach approximately 7200 subscribers.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Our greatest hurdle in developing and retaining viewership is our inability to list programs on the IPG. Our Town leaders, organizations, residents and schools all ask for these service to enable our resident viewers to find programs to watch live or DVR for later viewing on our 3 channels.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

The entire production operation at Easton Community Access Television is already HD. The only part of the signal chain that isn't HD is playback is dictated from our cable providers - Comcast and Verizon. We could broadcast in HD tomorrow if granted an HD channel.

It can be difficult to assess our technical standards relevant to other channels as we are limited by broadcasting in Standard definition in a 4:3 aspect ratio, while content appears on the 16:9 sized screen. Additionally, the number of available monitoring cable boxes that can be setup at our master control room head end limits what we are able to monitor simultaneously.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Jason Daniels, Executive Director
Easton Community Access Television

TVSB
TV SANTA BARBARA

Our mission is to empower media that matters.

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Executive Director
Matt Schuster

March 29, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of TV Santa Barbara, the South Coast Community Media Access Center, working to empower people to make media that matters. We do this by providing community members with the knowledge, resources, and tools to create and distribute their own original programming content. TV Santa Barbara is a nonprofit community media center which works with our community to share programming and information on the public access and educational access channels.

We appreciate the opportunity to provide information for the FCC's inquiry. The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

While our local cable provider includes information from the local PEG channels on the IPG, it is difficult to have the program information updated in a timely manner. For instance, we recently uploaded current program information to the IPG system and 30 days later, the program information had not been updated on the IPG. This makes it difficult for cable viewers to know when a specific program is airing and to use the DVR in their cable set-top box to record programming.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Despite our ability to provide a HD signal to the cable operator, the cable operator has refused to provide carriage of the local public, education, and government channels in HD and will not engage in discussions regarding HD distribution. Our local cable provider is not interested in exploring how local programming could be provided in HD. Unfortunately, as HD programming is more common, larger percentages of viewers watch TV programming in HD and no longer find local programming through channel surfing. Combine this with

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Bob Vitamante

Community Representatives
Karen Miles
Gary Dobbins

Executive Director
Matt Schuster

ineffective IPG information, and more viewers are not locating valuable local programming about their community.

Our local cable provider through an agreement with the local cable franchise authorities has only provided the local PEG channels in a digital format which requires a QAM tuner or cable set-top box to access the channels. Recently these channels were assigned new digital frequencies resulting in the local public access channel not being available to subscribers for more than 5 days while the cable company tried to figure out why the channel was no longer available. Despite reports to the contrary, the company continued to insist for more than 3 of these days that the channel was available to the cable subscribers. In addition, the cable company has made it very difficult for subscribers to obtain the complimentary cable boxes promised under the digital carriage agreement.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Matthew Schuster

329 S. Salinas St, Santa Barbara, CA 93103 | 805-571-1721 | www.tvsb.tv

March 28, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Public Media Network (PMN), a Public-Education-Government (PEG) Community Media organization that provides a myriad of services to the residents, organizations and institutions of the greater Kalamazoo (MI) area. We have provided these services with great success since 1983 and have established ourselves as a valuable non-commercial media creation and distribution resource in the six communities we serve.

We appreciate the opportunity to provide information for the FCC's inquiry (DN 16-31). The FCC asked the following questions regarding Public, Educational, and Government Access channels in the inquiry:

"We seek comment on the MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPD's do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

PMN channels have been available on the incumbent cable television system (currently Charter Communications) since 1983. Our process to interconnect our five (5) PEG channels to a "new entrant" MVPD (AT&T U-verse) began in June, 2011 after an extensive delay due to serious concerns about the technical specifications and signal quality limitations imposed by AT&T (addressed in more detail later in this letter). In order to meet AT&T's technical criteria, we purchased a new signal encoding device (Viewcast Niagra) that was on the "recommended" hardware list provided by AT&T. In addition, we leased additional internet bandwidth (five "bonded" T-1 telephone lines) and subscribed to AT&T U-verse in order to monitor our channels on their system as subscribers would see them. In September, 2011, our five channels became "active" on the local AT&T U-verse system in addition to being available on the incumbent provider.

Charter Communications has been cooperative throughout their ownership of the original cable system in providing information to subscribers about PEG channels, including support through several channel realignments and access to the electronic programming guide. The situation with the new entrant MVPD AT&T U-verse is more problematic: from the outset, information provided to subscribers about PEG programming (remember, PMN was and is a paying subscriber) was minimal at best.

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However, the lack of information about PEG channels pales in comparison to the actual experience of trying to access the PEG content. On AT&T's U-verse system, PEG channels are NOT "channels" at all...they are low quality web video streams accessed from a "web application" embedded within the U-verse product using series of drop down menus that typically takes about thirty (30) seconds from first click to partial screen display and finally full screen display (based on actual use of the PMN subscription service).

In no sense is PEG content delivered or displayed in a manner "equivalent" to other cable programming services (ESPN, MTV, C-SPAN etc.) or other local content (local broadcast television stations) on the AT&T U-verse system. The PEG "streams" are of lower image quality (a condition directly related to the very specific encoding criteria required by AT&T), cannot be recorded using a Digital Video Recorder (DVR), cannot be directly accessed to or from any "regular" cable programming source using the provided remote control device, nor can they be "saved" as a favorite channel selection.

Feedback in our market about the difficulty finding and accessing the local PEG channels on the U-verse system is consistent – the process of going to "Channel 99" and using a series of four (4) drop down menu's to get the desired PEG channel is cumbersome at best and discriminatory at worst. AT&T has tried to claim this is an "innovative" and "efficient" methodology for delivering PEG content. Our response is: *if the placement PEG content on Channel 99 with drop down menu's is so great, why not apply this delivery scheme over the entire platform, with say, all sports content on Channel 88, all news content on Channel 77, and all local affiliate content on Channel 66?* ***The answer is simple and obvious: the methodology is flawed and would not be tolerated by commercial programmers.***

In addition to the issues I've described above, because PEG channels are essentially a web stream sourced from outside the rest of the U-verse content envelope, the presentation of PEG content is often adversely impacted by the somewhat limited broadband capabilities provided to a U-verse customer. We very often get reports from U-verse subscribers that they cannot watch PEG programming if anyone else in the household is online – the bandwidth limitations of U-verse "freeze" the picture while all other programming on U-verse remains unaffected. This has never been an issue described to us by Charter Communications subscribers watching the same programming.

Before elaborating on the technical difficulties PEG providers have with the AT&T U-verse system, let me provide some basic detail of the technical specifications AT&T requires PEG content providers to meet:

Video Encoding Format:	Windows Media 9 VC-1 Main Profile
Input Format:	NTSC
Scanning Type:	Non-interlaced
Video Streaming Bandwidth:	1 Mbps
Output Resolution:	320 X 240
Audio Sample Rate:	48 kHz
Audio Encoding Format:	WMA (Windows Media Audio)

Source: AT&T PEG Equipment & Transport Information V.2

While Windows Media 9 VC-1 encoding might have been acceptable in 2008, there have been numerable advances in video codec development that would allow for encoding at a much higher quality and still fit within the narrow bandwidth constraint required by AT&T. In fact, PMN has had to "dumb down" our channel streams from standard settings in our encoding hardware to meet the AT&T criteria. We find this unacceptable and inexcusable, when we currently provide broadcast quality standard definition signals to the incumbent MVPD in our market, Charter Communications.

In addition to the encoding format and delivery limitations mentioned above, our experience with AT&T U-verse included almost two years of having our content displayed in an incorrect aspect ratio (3:3) until we were able to resolve the issue with the manufacturer of the encoder (Viewcast), with little to no support from AT&T U-verse on this issue. With this correction, PMN content is now displayed in the correct 4:3 aspect ratio for standard definition NTSC video.

PMN is now at a stage in our technical capability that all studio and field video recording is done in High Definition (HD), and all post-production systems are capable of HD editing and output. All of the content produced and archived by PMN is in HD, and most of the content created by community producers is HD. Our Master Control System (using Leightronix Ultra Nexus Standard Definition Media Servers) outputs NTSC standard definition signals that are sent by optical transmitter to Charter Communications and in the web stream format described herein to AT&T U-verse.

We are prepared to upgrade our Master Control System to HD output when our PEG channels can be available on our local MVPD systems in this format. ***We believe it is in the public interest to have local PEG content available to MVPD subscribers in HD, which is fast becoming the quality they are accustomed to receiving commercial cable services and local broadcast services, thus eliminating the disparity in treatment of local non-commercial content on an MVPD system.***

We greatly appreciate this opportunity to provide information concerning our experience into the record.

Sincerely,

Harry S. Haasch
Executive Director, Public Media Network

Athol•Orange Community Television

March 28, 2016

Alliance for Community Media
1825 K Street NW, Suite 400
Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Athol-Orange Community TV. AOTV represents two rural towns in Massachusetts comprising of 5,000 cable subscribers. I have been the Executive Director at the station for the past 21 years. We appreciate the opportunity to provide information for the FCC's inquiry,
The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

The large Boston and Springfield broadcast stations do not cover our area. As we try to reach new viewers, more and more people are relying on the program guide to give them information with channel/program descriptions. For Athol and Orange viewers, they cannot readily find what is currently on the AOTV channels. Since the cable companies are able to pick and choose channels for different towns from one head-end, it seems the technology would be there for them to include the PEG channels on the line-up.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

As of now AOTV is not in the HD line-up for Time Warner Cable. They have converted our channels to digital. The majority of residents do not have a digital box on at least one TV in their home, because they've purchased a digital/HD television and do not want the inconvenience of two remotes. Therefore, our main channel can no longer be found on Channel 13. It is in the highest part of the line-up on Channel 135-13. It has been over two years since the switch, and many cable subscribers still cannot get the channel with outdated televisions or cannot find us with new ones.

Since Channel 135-13 is on the end of the spectrum, many TV's and older cable with leakage, cannot find the signal. AOTV needs to have the same technical standards as the rest of the line-up and also needs to be provided the opportunity to be in the HD tier.

We appreciate the opportunity to enter this information into the record.

Sincerely.
Carol Courville
Athol-Orange Community Television

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March 28, 2016

Federal Communications Commission

445 12th St SW

Washington DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Capital Community Television (CCTV), a community-based non-profit organization that since 1990 has provided public, educational and government access programming in Salem and the surrounding area. Salem is by far the largest state capital community with no local broadcast TV, stuck in between the media markets of Portland and Eugene. We at CCTV work diligently to address our local media needs and to make connections in our community.

In the month of March, CCTV will televise:

- nine Salem, Marion County, Salem-Keizer Schools and Salem Transit meetings
- the Mid-Willamette Valley Homeless Task Force
- twelve high school basketball tournament games
- Willamette's 16th Annual Powwow
- the first of three days of the Cherry City Music Festival
- more than a dozen exercise, fitness, health and nutrition shows
- church programs in six different language
- human service and arts organization programs

We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Life off the IPG is bad

The number one request from our community is to have our listings on the IPG. Many of the calls to CCTV and our website hits are about the times programs are showing. We question how many people give up when they don't find us on the IPG. There is no technical reason that we are not on the IPG. Our channel server can export a schedule that will work.

A survey released last summer showed that the IPG is the dominant way that cable subscribers find programs, used more than three times more than any other method. The IPG is the primary way people record programs, and time-shifting is increasingly important for viewing nearly all programs, including those first shown live. We are behind the eight ball. Our promotions budget is small, and as three of a very few channels in SD only, we have to overcome the lowest visibility to people in our community.

We believe that the FCC has the latitude to require the listing of community channels. The prohibition of editorial control of PEG channels is not an issue. The content of the listings would be supplied by the community media center, not the cable TV company or government. We further believe that the absence of these listings is in itself a form of editorial control that is the greater compelling issue to resolve.

Lack of IPG listings during emergencies is dangerous

CCTV is a secondary Joint Information Center (JIC) for the City of Salem and Marion County. Due to CCTV's location within a half mile of both governments, CCTV is the most likely JIC in a number of emergency situations. Local officials will sit in CCTV's studios and provide critical information with no way to route cable TV viewers to CCTV. CCTV is currently working as a part of Mid-Willamette Emergency Communications Collaborative (MWECC). CCTV is the video producer and provider for this preparedness campaign. Our community is in the middle of the Cascadia Subduction Zone and is not prepared for the next major earthquake that will strike our region. The preparedness information will be thorough and in segments designed to prepare our community. At present, there is no IPG to let our 55,000 cable subscriber households know that this information will be available.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

The lack of HD channels is strike two and a half

Since January of 2014 we've operated an HD server to deliver our three channels. We've done our part. We are waiting for HD channels from the cable TV company. They grabbed a lot of bandwidth when they converted community channels from analog to digital delivery—more than 45 MHz of bandwidth. None of that bandwidth has been used to provide HD delivery of community channels. Our community is not responsible to make up for the inadequacies of a 1990-era cable system.

HD is now the standard definition of television. All of our production equipment is HD; we do not own SD equipment. Well over half of cable TV subscribers have HD cable. Subscribers with HD rarely go back to the SD tiers. It's another roadblock.

Channel placement is another issue. Fifty miles to the north in Portland there are HD community channels. However, using an obscure interpretation of language, the cable TV company put the channels in the 300 tier, not in the 700 tier with other HD channels. The community channel slots were given to sports channels—highly-promoted As a cable TV representative said, "we value the sports channels". It's too bad the company does not value our local communities beyond monthly subscriber payments.

We currently meet the technical standards required to deliver programs in HD. We are fully committed to continue this practice. No one wants a high quality signal in the home more than we do. This is our passion, connecting our community,

We have unique and valuable programming. We provided a brief look at our programming at the start of this letter. You are welcome to see our full schedule at **http://www.cctvsalem.org/channel-schedule/.** Then select from our Public Affairs, Education and Entertainment or Community Voice channels.

We'd be glad to show you our community media center; we spell our name correctly! The next time you are in Salem, Oregon, we'll show you where we teach classes, where we produce programs for the community, where we help the public to use our channels and the web. We'll show you the crisp HD signal off our server and the messy SD signal that results from down-resing our channels just before entry into the cable TV system. We'll show you the IPG that has no listings for us, but does have our name misspelled as "CVTV". We'll show you a great community that deserves better.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Alan Bushong, Executive Director

Capital Community Television

575 Trade St SE

Salem, Oregon 97301

Community Television

MANAGER
Tony Vigue

MEDIA SPECIALIST
Moe Amaral

March 22, 2016

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Secretary Dortch,

I am writing on behalf of South Portland Community Television. SPC-TV carries all municipal and school related programming and our sister station, South Portland Public Access, provides City residents with the necessary training and equipment to produce television programming about our community. We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

One of the stated "Strategic Goals" of the FCC is to: "make communications services accessible to all people; and protect and empower consumers in the communications marketplace". **This your authority**.

Regarding PEG IPG data: Carriage of PEG IPG data is non-existent in Maine with the exception of the Portland station, CTN-5 which went to great lengths and some expense to acquire that ability. For other stations,Time Warner identifies the channel as "Local" with no individual PEG identifications. Some stations that serve multiple towns have been advised by Time Warner that it is "technically impossible".

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We recently concluded negotiations with Time Warner on a 15 year contract and were unable to require language designating HD programming for PEG channels. Time Warner attorneys would only agree to "meet and discuss" HD programming for PEG channels. All other channels on the Time Warner channel lineup are HD or will be HD soon, except for the PEG channels which gave up significant bandwidth with the conversion to digital signals and got nothing in return.

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Re: Proceeding Number 16-41

Furthermore, if you don't have a TW digital receiver, you will find that our PEG channels have been shifted up into the 120 channel range instead of being grouped with other local broadcast channels on the basic tier. We are also seeing a change in how our return feeds are being processed. Instead of a dedicated fiber with equipment provided by the cable operator as they have done in the past, we understand TW is now proposing to charge municipalities for an encoder along with their Business Class service and routing PEG return signals over the internet to their head end, essentially shifting the cost of providing PEG access "facilities" (47 USC Secs. 531 & 542(g)(2)(D), & 544(b)(2)(A)) "sufficient to meet community cable-related needs and interests" - from the cable operator to the municipality.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Tony Vigue

Tony Vigue, Manager
South Portland Community Television

Cc: Chris Dumais, IT Director
City of South Portland

Mike Wassenaar, President
Alliance for Community Media

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March 28, 2016

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Winchester Community Access Media, Inc. (Wincam), Winchester, Massachusetts. Wincam is a PEG community access media membership organization responsible for producing programing/content covering almost all aspects of town events. I am an independent producer of programing for Wincam's three, PEG, channels.

We appreciate the opportunity to provide information for the FCC's inquiry.
The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

As an independent producer for Wincam, I find two major barriers to effectively reach the citizens of Winchester with our programing. The first is the absence of any full high definition channel available to us, and the second is total lack of electronic program guide (EPG).

Although all producers at Winchester Community Access Media, generate video programing in high definition, we are not able to cablecast the programing due to lack of a high definition, HD, channel. Virtually all media distribution channels, such as broadcast, cablecast, and the Internet, provide high definition capabilities, only few of the PEG media organizations in Massachusetts, and elsewhere, have available such channels. Also, the community access channels have lower channel numbers than commercial HD programing. So, "channel surfing" often starts at a higher channel number, and the result is that sufer never encounters the lower channel numbers occupied by the PEG organizations. It is my understanding, that providing HD channels actually frees up bandwidth for the provider. So, why don't we have HD? Surely the reason is not technical!

The absence of an EPG, in practice limits the access of the citizens of our town to our programing. "If you don't know what is being broadcast/cablecast, you can't watch it!" And your voice is not being heard! This issue has been going on for years, with absolutely no movement to resolve the issue on the part of the providers.

We appreciate the opportunity to enter this information into the record.

Sincerely,
Peter G. Engeldrum

Producer, Winchester Community Access Media
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March 28, 2016

Alliance for Community Media
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Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I worked in the Interactive Program Guide industry for 18 years. I am familiar with the entire process, from data collection through distribution to display on viewers' TVs and cable boxes. I have been helping my local Cable Advisory Board with their negotiations with Comcast.

The FCC asks:

"To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted?"

They always have made technical excuses. But while there have been some technical details to solve, there is nothing extraordinarily difficult. Most problems were caused by cost-saving decisions made by the MVPDs long ago. They've had years to solve them in any number of ways.

The simple case is a station with a unique channel number and row in the IPG. There is no technical problem to solve. The IPG system at the cable headend needs to be configured, and the MVPD needs to ask its data provider to begin accepting data from the station and include the station's listings in its data delivery to the MVPD.

The more difficult case is where several stations share a channel number. This evolved from the mergers and evolution of community analog cable systems into regionalized digital distribution centers. In my local area, nine PEG stations share tune channel number 9, and they also share the same FCC QAM channel and program number. There is one row in the IPG allocated for all nine stations. Selecting that IPG row tells the set top box in any of those communities to tune to the same QAM and program number. It's that reuse of the row that makes listing the individual station's programming difficult.

Rebuilding the distribution system using its original technology to fix this could be expensive. I have recently proposed a compromise solution. Our Comcast representative inquired within the company and reported that my proposal could work. I have suggested that stations in our group of nine, that want to have their listings carried, could move to new unique channel numbers. Once they have unique rows in the IPG, it's easy to display their data. The IPG can continue to direct the set top box to tune to the same QAM and program number through its channel map.

However, choosing those new channel numbers happens in the Marketing department which recently responded that "there is no appetite to work on this issue". So we're beyond technical barriers.

"Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue?"

When MVPDs carry programming without including it in the IPG, they are denying access to that programming. They are exercising editorial control over the content by selectively preventing its discovery. There is no merit in any discussion of the relevance or viewership of a PEG station if the PEG station's programming cannot be found with the same ease as any other station in the lineup.

"What is the source of the Commission’s authority in this area, if any?"

In Paragraph 214 of the Memorandum Opinion and Order for Comcast's merger with NBCU 10-56 (pg 89-90), the FCC said:

"...we also impose a condition that Comcast cannot discriminate against PEG with respect to the functionality, signal quality, and features from those of the broadcast stations that it carries."

I fear that since the FCC, in its purest regulatory desire not to limit the future, doesn't define those words to mean specific actions, Comcast appears to presume they have no meaning at all. I take them to mean, among other things, that the PEG stations will have the same IPG functionality and features that the broadcast stations have.

Thank you for your consideration. I appreciate the opportunity to enter this information into the record.

Glenn Axelrod
Owner
Axelrod Broadcast Solutions LLC

4 Vernon Street
Framingham, MA 01701

Phone (508) 875-5434
Fax (508) 875-1846

Monday, March 28, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Framingham Public Access Corporation doing business as Access Framingham television (AFTV).

I am the Executive Director of AFTV and we provide crucial and important services to the Framingham, Massachusetts community. The services are community media access for all residents to learn how to tell stories about their community through electronic and digital media. Stories no other media outlets will tell - stories about the community by the community and for the community.

Framingham is the largest town in Massachusetts and perhaps the most civic minded as well. We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

MVPD's practices have been prohibitive in allowing AFTV to inform the Framingham community about the unique and relevant programs airing on the AFTV channel by refusing to

provide access to the Electronic Program Guide (EPG). This prohibits residents from knowing the program that is airing on the channel and the content of that program. It prevents residents from recording the programs to view for another time. As we have shared with the MVPDs, there is no technical reason for blocking PEG programming information from subscribers. We have shared how it can be done and still have not been allowed access to provide the information to subscribers. By default, PEG channels are under editorial control of MVPDs because we are not able to provide the freedom of speech to residents in a fair and equitable manner of any other commercial channels or stations.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

The MVPDs have also prevented AFTV from providing content in the HD format. Two MVPDs in particular have refused to provide HD distribution resulting in a lower quality and deliverable than any other channel or station broadcasting in the HD format.
All of our content is recorded in HD, yet none of it can be delivered in HD. All of our technology and equipment is HD because that has become the industry standard, yet the MVPDs will not provide the opportunity to deliver the higher quality formatted HD content to residents and subscribers.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Scott J. Mercer
Executive Director
Access Framingham TV

Salem Access Television
285 Derby Street
Salem, MA 01970

March 25, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Salem Access Television Corporation (SATV) located at 285 Derby Street, Salem, Ma. SATV is a non-profit 501(c) 3 organization formed to provide accessible public television to the City of Salem, its residents, the community and members. Salem Access Television (SATV) is dedicated to the principles of free speech and expression that actively promotes popular communication and builds community spirit. The services that SATV offers are a critical communications link within the City of Salem and have contributed to a healthier community. SATV educates individuals, groups, and organizations to utilize media to empower themselves and further positive communications within the community. SATV accomplishes this through a comprehensive training program where specially designed workshops teach all aspects of studio and field production to members in an effective and nurturing environment.
We appreciate the opportunity to provide information for the FCC's inquiry,
The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry: "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?

SATV and the City of Salem cable subscribers would greatly benefit if our programming information and schedule was available on the Electronic Program Guide they use every day. It is the most convenient and direct way to deliver the PEG programming schedule them. We currently provide our PEG programming information and schedule in many ways, as printed copies for people to get at SATV, printed in a local paper, accessible on our website as well as visually on each of our channels if no programs are airing. These are not the most effective or efficient ways to accomplish the task but are our best options right now. However, the Electronic Programming Guide (EPG) feature is already included as a cable services to cable subscribers, it is a convenient, effective, efficient and direct way for the cable subscribers to find programming to watch. This is why the PEG programming schedule must be included in the EPG. It will ultimately benefit the cable subscribers' capabilities, to find and identify local community programming available to them on any PEG channel at any time day or night.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

SATV has complete HD capabilities. We currently produce all of our programs in HD both in the field and in the studio using the highest production standards, qualities and techniques. SATV's PEG channels playback system to the cable subscribers is also HD capable. We are ready to broadcast our programs to the City of Salem cable subscribers in HD right now however the City of Salem's cable provider has not provided SATV with this capability at this time.
We appreciate the opportunity to enter this information into the record.

Sincerely,

Sal A. Russo
Executive Director,
Salem Access Television
285 Derby Street
Salem, Ma. 01970
sal@satvonline.org

March 24, 2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

> Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of **the Town of Framingham's Cable Advisory Committee.**

We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

The subscribers to our cable TV providers' PEG (public, educational and government) cannot view program descriptions or times that for example government boards such as the school committee and Board of Selectmen are transmitted. This hampers government transparency and participation.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We have no high definition on PEG channels and Verizon and Comcast refuse to give us a date as to when HD will be available. Without HD, the quality is vastly inferior to that shown on MVPD programs.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Annabel Dodd, Chair Framingham, MA Cable Advisory Committee

MID MICHIGAN AREA
CABLE CONSORTIUM

March 22nd, 2016

Mid Michigan Area Cable Consortium
312 W. Michigan Street
Mt. Pleasant, MI 48858

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of the Mid Michigan Area Cable Consortium who operates PEG channels in Mid-Michigan under the name the MAC TV Network. As a consortium we represent Arcada Township, Pine River Township, Union Township, the cities of Alma, Clare, Harrison, Ithaca, Mt. Pleasant, St. Louis and the village of Shepherd, all located within Clare, Gratiot or Isabella counties in Michigan. We are in charge of 2 public channels, 3 government channels and assist with 3 educational channels all on Charter Communications cable network.

We appreciate the opportunity to provide information for the FCC's inquiry.

In January of 2015, our Charter Communications contacts told us that we would be able to add our channels to the program guide for our local area. They have told us several times that they were in the process of setting this up. Charter has not answered or responded to any calls or e-mails regarding this or any other issue since October of 2015. At this point it has been more than a year since we were told that is was possible for our channels to be on the Program Guide and yet they are still not on the Program Guide. In October of 2015, a Charter representative contacted us seeking a letter of support to the FCC regarding their planned merger. Once we filed our support Charter no longer responds to us via mail, phone or e-mail.

MAC TV Network would also like to have the ability to transmit our signal to our viewers in High Definition(HD). Currently we are among the very few channels on Charter's network that are not transmitted in HD. In the year before Charter ceased communicating with us we had several discussions with our Charter contacts regarding the possibility of going HD. Their response was always that going to HD would never happen. Even when we offered to pay for the equipment

312 West Michigan Street • Mt. Pleasant, MI 48858
(989) 773-9730 • Fax: (989) 773-9843
mactvnetwork.org

upgrade and asked for a rate similar to a local broadcast station transmitting in HD we were told that for PEG channels HD was not a possibility. We currently shoot, edit and produce all of our programming in HD and have to convert it to Standard Definition(SD) for Charter's network. We are prepared and willing to send our signal to Charter in HD so that it would be available to our viewers in HD but have been rebuffed by Charter at every step.

We have also had difficulty maintaining a high quality of signal for our channels on Charter's network. Our stations currently still modulate onto the coax network even though many other channels do not. This requires constant adjustments and is not as high of quality as newer methods. Currently, if an issue occurs with one of the channels or one of the channels go down, it usually take 2-3 weeks to reach a full solution; in the mean time, channels are not being viewed at a comparable quality to other channels on the Charter's network.

It is our belief that PEG channels should be available to our local viewers with the same quality of viewing and information as most other channels on the Charter network. This means having our channels schedules available on the Program Guide and also available in HD. We feel it is within the power of the FCC to mandate that PEG channels be allowed to have the same high quality viewing capability as other channels and also feel this will help local communities promote transparency and maintain a strong voice through media.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Carey Hammel
Operations & Administration Director
Mid Michigan Area Cable Consortium

Danvers Community Access Television, Inc.

DCAT
DANVERS COMMUNITY ACCESS TELEVISION
87 Elm St. 2nd floor
Danvers, MA 01923

(978) 777-2720
dcat@danverstv.org
www.danverstv.org

March 24, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Danvers Community Access Television (DCAT), a Public, Education, and Government station that serves 10,000 subscribers in the Town of Danvers. I am the Executive Director; I manage a small staff of 3.5 people and a large membership base of 200 active people.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Our PEG channels are on two MVPDs. I submit tickets twice a month for poor signal, channels switched, and poor audio. The average amount of time before the ticket is acknowledged is two days. I call the MVPDs every four hours once a ticket has been issued. They have the technical ability to handle the problems, but in my opinion, they discriminate us based on being a PEG station. The customer service is poor.

Our channels are buried in the standard definition line up, which is frequently overlooked by subscribers. The channels are not together in the lineup as well, which makes locating them difficult. When residents inquire about our channels, they comment negatively about them being in the standard definition channels because they don't use those channels.

Being absent from the channel guide has also hurt our ability to serve the subscribers. We have the metadata about our programming available to populate the channel guide quickly. We need

a space on the channel guide to put our channels on an even playing field with other programming. By not being on the guide, the MVPDs are limiting our ability to reach viewers. To foster "a diverse, robust, and competitive programming marketplace" we need to have the same rights as the MVPDs.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Our main studio is prepared for high definition transmission. We are currently in the process of updating our municipal meeting sites to HD. We have the technical standards necessary to transmit in HD video. By transmitting in HD channels that are next to each other, our subscribers will be better served. Our information will be more visible to the community in an organized and easy accessible way.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Dana Healy
Executive Director
Danvers Community Access Television

WAYCROSS
COMMUNITY MEDIA

Alliance for Community Media
1825 K Street NW, Suite 400
Washington DC 20006
March 23, 2016

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Waycross Community Media. Waycross provides Government, Education and Public programming services to Forest Park, Greenhills, Colerain Township and Springfield Township, Ohio (Suburban Cincinnati). Programming is carried on 1 Government, 1 Education, 2 Public and 1 PEG channel on Time Warner Cable and Cincinnati Bell Fioptics Cable.

We appreciate the opportunity to provide information for the FCC's inquiry into MVPD's Electronic Program Guide treatment of PEG programming.

Neither of our cable systems make individual program information available on their electronic program guides (EPG) for our channels. However, Cincinnati Bell does properly identify our channels as community media channels, using our logo on the guide.

Conversely, Time Warner has never properly identified our channels on the EPG. They are either listed as "Customer Information", or in the case of two of our channels, they list the program guide for other programmers. Specifically, our government access channel shows the program guide for EWTN, and one of our public access channels shows the guide for TBN. Not surprisingly, this confuses the cable subscribers looking for our programming.

Having our programming listed on the EPG would of course make it easier for viewers and channel surfers to find our programming, and make it possible to use DVR functions. We have noted that Time Warner has no problem correctly listing programming for their local sports channels on the EPG.

We have asked both systems to list our programs on the electronic guide. Cincinnati Bell has been working on the issue. Time Warner advises that while it would be technically possible, our subscriber base is too small to expend the necessary resources to make it happen.

Finally, in answer to the editorial control question, it is possible that by not allowing PEG programmers to properly identify their channels or programming, cable companies are exercising a degree of editorial control over those channels. In any case, we stand ready to provide the programming information required for inclusion on the EPG.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Chip Bergquist
Executive Director

2086 Waycross Road Forest Park, OH 45240 513-825-2429 info@waycross.org
www.waycross.tv

03/24/2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Bridgewater Television, which provides community access programming to the residents of Bridgewater, Massachusetts, located in the Boston Metro area, and home to one of the largest state Universities in the Commonwealth. BTV provides coverage of government meetings, Church Services, Community Events, Local and Regional Sports, and much more. Many of this programming is provided for viewers who are home bound or otherwise unable to attend.

I appreciate the opportunity to provide information for your inquiry regarding the MVPD's practices with respect to making PEG programming information available to subscribers. We have a very wide range of viewership, ranging from students to senior citizens and all find it difficult to find programming info, since our cable provider does not include our channel on their "on screen viewing guide." The inability to promote our schedule does have an impact on the ability for our programming to reach its audience.

Another issue we have, here in the Boston area, is that most of the viewed channels are in the HD tier (ie: the 700s and 800s) for channel numbers, while we are in the single digits. The other issue is that our cable provider does not carry our signal in HD, despite the fact that we have the ability to cablecast in HD, as we have HD ready cameras, switchers, control room, and playback system, we currently stream online in HD, but it would be nice to also provide HD programming to our television viewers, and this would also benefit our community organizations, schools, and municipal boards greatly.

I appreciate the opportunity to enter this information into the record.

Sincerely,

Jeff Fowler, Station Manager, Bridgewater Television

774-228-2353
info@mashpeetv.com

168 Industrial Dr. Suite2
Mashpee, Ma
02649

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of MashpeeTV. We provide Public, Educational and Government Access Television services for the Town of Mashpee as a non-profit corporation. We serve the residents and many non-profit community based organizations here in Mashpee with a focus on those underserved by mainstream media.

We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

"We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

In Mashpee we constantly hear from the residents that they have a difficult time finding our channels and specific programs that the community produces. Without access to the electronic programming guides the residents cannot set up their DVR's to record events for future viewing like local sports, programming about the students in the local school district and local government meetings.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

For several years MashpeeTV has had the ability to record and broadcast in HD formats, but Comcast, the MVPD in Mashpee, refuses to place our local channels in the HD programming tier or carry the local PEGs on any other channel viewing capacities. This is despite the fact that other regional Cable providers have done so and have shown that it is feasible technically.

Without access to the High Definition programming tier the local PEG channels are getting left behind with our viewership and many local voices are not getting heard. As suggested by many, Cable's excluding PEG channel from the HD tier may be a form of censorship or at least illicit editorial control by the Cable company over the PEG channels.

We appreciate the opportunity to enter this information into the record.

Sincerely,

William R. Nay

General Manager

Mashpee Community Media, Inc. dba MashpeeTV

March 30, 2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Herkimer College Television, serving a very diverse community of loyal viewers in our area of New York State.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

This service in the past has been generic at best and does not allow our community to stay informed of pertinent local programming details.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We have been refused HD distribution and the degrading economic processing of our quality signal by the distributor are both obviously profit driven.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Herkimer College Television

lmctv
your community connection

March 30, 2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of LMCTV, a PEG station serving the Larchmont, Mamaroneck and Rye Neck areas of metro NYC. LMCTV is a 501(c)3 organization that offers equipment, classes, and facilities to local citizens. The mission of LMCTV is to strengthen our community by providing the supportive environment and facilities necessary to encourage freedom of speech, public dialogue and artistic expression that reflect the diverse interests and needs of the Larchmont-Mamaroneck Community.

We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Our viewership often complains that they don't know what will be on our channel and also, that they cannot set recordings on their DVR boxes of important municipal meetings for viewings at a later date or time. Having some type of indication as to what viewers are watching AND what they can plan to watch would be a great asset to our viewing audience.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Our ability to stream HD programming is being hindered by the fact that neither of our providers (Cablevision and Verizon) will allow us to broadcast in HD. Our system is ready

to go and looking great. We are fully capable of delivering a great viewing experience to the residents of our community. However, the cable providers are the only ones stopping us from doing so. I believe our community deserves more. HD is standard now and the fact that cable providers are limiting our abilities is disgraceful.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Matt Sullivan, LMCTV

Larchmont Mamaroneck Community Television • 740 West Boston Post Road, Suite 311, Mamaroneck, NY 10543 • (914) 381-2002 • Fax: (914) 698-7641 • www.lmc-tv.org
Cablevision Channels 75, 76, 77 Verizon Channels 36, 35, 34

BCAMTV

Tell Your Story

128 Town Street
Braintree, MA 02184
781-848-1831 p
781-848-7620 f
www.bcam.tv

3/30/16

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Braintree Community Access and Media, BCAM TV. We are the PEG center for Braintree, MA. We create and deliver public, educational and government programming to the cable subscribers of Braintree.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

As a cable television subscriber I know from experience that the most effective way to find

programming that I want to watch is to search the Electronic Program Guide. I am sure that the vast majority of cable subscribers use the EPG as well. There really is no other way to know the schedules of all of the television options that exist. Our two channels in Braintree currently do not show up on the EPGs for our three MVPD's. We have our schedules running on our own channel in between programming and we have them on our website but both of those options are less than effective as it requires the viewer to actively search out our programming rather than just scroll through the EPG which lists all of the television outlets. We are continuously being asked by customers why our schedules don't show up on the EPG. Our programming is not being treated equally. Cable subscribers are not being treated fairly as programming that is most important to them; government meetings, high school sports etc. is the most difficult to find. We would ask that the FCC engage the MVPDs in this discussion.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We have been told by Comcast and Verizon that we will never be on an HD channel.
Our third provider, BELD, promised an HD channel in 2011 but has never delivered on this promise. Again this is unfair to the cable customers as programming that is most important to them is not being delivered at the same quality as every other channel. Our technical standards, aside from HD, with Comcast and Verizon have been acceptable.
This is not the case with BELD however as they have had audio problems with our Government channel for several years that they have been unwilling and then slow to address.
We appreciate the opportunity to enter this information into the record.

Sincerely,

Wesley Rea
BCAM TV

3.30.16

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Cape Ann Television, a community media center serving Gloucester, Rockport, Manchester, and Essex, Massachusetts.

We appreciate the opportunity to provide information for the FCC's inquiry.

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Cape Ann Television has three community broadcast television stations that serve four communities north of Boston. Comcast provides our broadcast stations. All three stations are standard definition channels. Today, standard definition is not the standard. High definition is the standard.

We have requested HD capacity from Comcast and they have not provided it. We explained to them that we, like the majority of community media stations in Massachusetts, are already HD capable. All of our equipment AND our content is high definition. Comcast will not give us an answer as to why they will not provide HD capacity or provide a timetable as to when this might occur.

In addition to the HD issue, Comcast will not allow us or other community media stations to put our content listings in the electronic program guide. This is severely detrimental to our ability to serve our community. Television viewers are accustomed to searching for and recording content on the program guide. On ALL other channels, subscribers can see what content is airing when, for days in

advance. When they scroll through our channels on the program guide the only thing listed is "Local Content." There is no way to tell what specific content is airing. To make matters worse, it's not even separated into blocks of time in the event you knew what time a program was airing and wanted to record it. You would be forced to record 24 hours of programming. Again, Comcast has not responded to requests for inclusion on the electronic program guide.

Community media stations like Cape Ann Television need the ability to broadcast their content in high definition. We need to have our channels in the HD programming tier. We need to have our content listed on the electronic program guide. Our survival depends on it.

Cape Ann Television and other community media stations aren't looking for provisions that are above and beyond the norm. We're simply looking for parody with the other available stations. This is simply to ensure that the people we serve can access the important local content we provide.

Many of us in the community media industry believe that Comcast and other cable providers withhold these services to marginalize community media. Comcast, in our case, hasn't given us any reason to believe otherwise. All request are met with resistance and without sufficient explanation as to why they aren't met.

Community media stations and the thousands of dedicated people who work for them provide a valuable community service. The communities they serve deserve proper access to that service. Again, this is not about special treatment. It's about equality.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Erich Archer

Executive Director,

Cape Ann Television

March 30, 2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Northampton Community Television in Northampton, MA. We are a new generation community media arts center that is widely decorated nationwide. For the last decade we have been working to build a new model example for community media in the United States – one that engages the community at rates and depths not seen at our scale and breadth. We run a citizen journalism program, crowdsourced a remake of Raiders of the Lost Ark with community members and groups, are a hub for regional filmmakers, are engaged in building a scale replica of our city in Minecraft in collaboration with educational and governmental entities. We believe we are enormously successful. You can see us here – www.northamptont.org.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

We have been asking for a presence on the EPG from the lone provider in our community, Comcast, for the past decade. We have had numerous direct comments from the public on this issue, and it was specifically identified as a need from our community to the provider in our recent ascertainment process. Comcast has continuously refused those requests. We filed comments with the FCC previously, indicating that the X1 and X2 platforms for the newest generation of program guides were developed by Comcast with full knowledge that they were treating us inequitably, and they did not address this issue in those platforms.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We only shoot video in HD, 4K, and Ultra HD formats. That has been true for approximately 7 years. We are unable to support an SD workflow, but cable providers continue to refuse to

distribute our programming in this format. We need to expend resources continuously to “dumb-down” the quality of our content in order for it to be purposefully delivered in this manner.

We are able to provide HD signals and electronic program guide data at all standards reliably. In fact, we must expend money and staff time to do otherwise. Our workflow is costlier to the community because we are forced into an inequitable standard.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Al Williams

Executive Director

Northampton Community Television

Midpen Media Center

Annie Folger, Executive Director
annie@midpenmedia,org
650-494-8686 x-17
900 San Antonio Rd. Palo Alto, CA 94303
www.midpenmedia.org

March 30, 2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of Midpeninsula Community Media Center of Palo Alto, California. We are the Public Access center serving Palo Alto and the neighboring cities of Atherton, East Palo Alto and Menlo Park. We provide studio and other production facilities as well as training in the use of our equipment to enable members of the public to produce programs which we carry on our local Public Access cable TV channels. We also provide coverage of local government meetings, which we carry on our Government Access cable TV channels.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

For many years we have been uploading programming information for our 3 Public Access channels to Rovi Corp. There has been no charge for this service, and the information has been relayed to Comcast and provided by them through their customer's set top box Electronic Program Guide service and made available on the Comcast website, also at no charge. We

recently requested that this service be extended to include our 2 Government Access channels. We initially discussed this with Rovi, who advised us that there would be no charge from them to provide this service, as these channels are non-commercial in nature. Comcast, however, has advised us that in order to activate and provide this service we will be required to pay $1,600 in fees annually to "compensate and reimburse them for the cost of providing this Listing service". This seems like a disproportionate charge, for what amounts to a non-recurring activity of associating a unique Rovi Source ID code with our channels and then allowing the computer systems to exchange this data in an entirely automated fashion.

Our channels are also carried locally by AT&T U-Verse. This system discriminates against PEG channels in a number of ways by providing a reduced set of capabilities compared to all other television channels on their system. One of the capabilities that is not provided for PEG channels is any form of Electronic Program Guide service.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We have recently completed an expensive replacement of our studio, production and channel distribution facilities. All of our locally produced content is now created in the High Definition format. Our video server playback system is now capable of distributing our channels in High Definition. However, there has been no indication that Comcast or AT&T U-Verse have any intention of ever carrying our channels in High Definition. When we specifically asked Comcast when we might expect to be allocated a High Definition channel, the response was "We don't know when we will be all HD". The implication being that our channels were their lowest priority and would be the last to be converted to HD, if indeed they ever would be.

Likewise, we have not received any indication from AT&T that they have any intention of carrying our PEG channels on their U-Verse system in High Definition. In addition, the AT&T U-Verse system has numerous deficiencies in the way it handles PEG channels by comparison to all other television channels. These include the provision of PEG channels by a segregated application accessed by navigating to channel 99 and then searching through a complicated menu structure to find the local PEG channels. Customers are unable to record programming from a PEG channel. This is not just because the Electronic Program Guide is not provided to schedule a future recording, but the DVR functionality of the set top box is completely disabled when viewing a PEG channel, so there is actually no provision for recording a PEG channel whatsoever, even by manually pressing a record button. It is also not possible to pause/rewind as there is with all other TV channels. AT&T have not indicated any intention of addressing any of these existing deficiencies

We appreciate the opportunity to enter this information into the record.

Sincerely,

Annie Folger,
Executive Director
Midpeninsula Community Media Center

North Andover Community
Access & Media, Inc.
PO Box 125
North Andover, MA 01845

March 29, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)
Dear Ms. Dortch:

I am writing on behalf of North Andover Community Access & Media, Inc.(North Andover CAM). North Andover CAM is a community media organization serving a town with a population close to 30,000 about twenty miles north of Boston. Our organization engages people in the community of all ages to produce diverse programming and it also works with the municipality to televise current government proceedings live to the community.

We appreciate the opportunity to provide information for the FCC's inquiry,
The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry: "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?" Our cable television schedule is available online but one of the most common comments from our viewers when they approach us is that they cannot find what time a show they are looking for is going to be on. The primary way that customers are instructed to record programs on the device provided by the cable companies, is to select the show in the electronic programming guide and set it to record. The schedules for the local channels are not available through the guide so consumers are being limited on a service that they are paying for.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs. North Andover CAM invests capital in high quality video production equipment including an upcoming fully High Definition television studio that will be ready to deliver a High Definition signal to the town's residents. There is no doubt that community media stations are at a great disadvantage based on the quality of the signal that is sent to viewers in their homes. To insure that community media stays relevant to its viewers and to it's potential viewers, the cable companies must be mandated to include PEG programming on HD tiers and must be mandated to include programming data from community media on electronic programming guides.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Brian Fraser
Executive Director

Ph: 978-687-6570 www.northandovercam.org Fax: 978-691-5465

March 30, 2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of myself and other PEGASYS producers of public access programming on Time Warner Cable channels in Ithaca, NY. We produce unpaid programming to the community on public access channels as a public service.

I appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

We volunteer producers at the Ithaca PEG studio are frustrated by the inadequate listing of PEG programs on Time Warner Cable's local channel lineup.

First, individual public access programs are not listed, while paid channel programming is listed. This puts us at a great disadvantage.

Second, if a subscriber does not have the proper equipment, or only has the "Basic" service, the subscriber can't even get the regular low-numbered PEG channels that higher levels of subscribership get. In this case, our programs are only viewable on 97.x channels.

Consequently, in all cases, as our individual programs are not even listed on the TWC lineup, the main way subscribers find our programming is random channel surfing. And as the 97.x channels are so far up the scale, virtually no one finds us there by channel surfing. I feel this hiding of our channels from the lineup and the relegation to much less discoverable locations for Basic subscribers is intentional on Time Warner Cable's part and may be part of a strategy to marginalize and eventually eliminate PEG programming from their cable service, probably in hope of their eventual commercial use of our channels.

I appreciate the opportunity to enter this information into the record.

Sincerely.

Anthony D. Ingraham

Producer, PEGASYS

368 Stone Quarry Road

Ithaca, NY 14850

(my personal address and email)

owlgorge@earthlink.net

Suburban Community Channels

March 29, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of the Ramsey Washington Suburban Cable Commission and Suburban Community Channels. SCC operates a community media center and cable television channels for public, education and government access in eleven municipalities in the Northeast Suburbs of St. Paul, MN. We reach approximately 31,000 cable television subscribers with a potential audience of 150,000 plus people.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Our greatest barrier in developing and retaining an audience and their viewership is our inability to list our local programming on the IPG. All the stakeholders of community media in our service territory: policy makers, local organizations, educational institutions, non-profit groups, residents, etc have all asked for this service to enable viewers to find the programs they wish to view live or record (DVR) for later viewing.

Suburban Community Channels

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

I welcome everyone to visit SCC the next time they are in the beautiful Twin Cities of Minneapolis and St. Paul. We'll show you where we teach classes to our community, where community members and SCC staff produce programs for their community, where we empower our community to use their channels and the web. We'll show you the IPG that has no listings for the communities media center and channels. We'll also show you a great community that deserves better....much better

We appreciate the opportunity to enter this information into the record.

Sincerely.

Ted Arbeiter
DIrector of Operations, Suburban Community Channels
White Bear Lake, MN 55110

Our mission is grounded in the first amendment of the U.S. Constitution and is accomplished by our commitment to empowering the community with the tools, knowledge, and access to media.

March 30, 2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

We are writing on behalf of Stow TV, a local cable PEG channel serving the Town of Stow through the Comcast and Verizon cable companies. Stow TV provides local video coverage of government meetings and other events that take place in Stow for the benefit of its residents.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Neither Comcast, nor Verizon, provide programing guide information for the Stow TV channels. Stow TV has the ability to provide schedule information to the cable companies, but they do not accept this information from Local Access PEG channels. Subscribers looking at the programming guide will only see "local programming" when viewing our channels. Recording shows from the local access channels is difficult as subscribers must manually enter start and end times vs. choosing the show from the programming guide. Subscribers must go to the Stow TV website or look in the local newspaper to find the schedule. Some of our subscribers do not have internet access or subscribe to the newspaper.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Our primary problem with providing good PEG video services is the cable company restrictions requiring us to provide video coverage of meetings and events in Stow only in SD format, showing it on channels that are not in the channel group normally viewed when browsing for

video content, and not being provided the opportunity to provide video schedules to the programming guide provided by the cable companies for their commercial channels.

Currently, neither Comcast nor Verizon allows Stow TV to provide HD video on our channels. Most of our programming is produced in HD mode and has to be reduced in quality to SD mode before sending to the cable companies for distribution.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Anne VanTine, Stow TV Coordinator
Kathy O'Keefe, Assistant Coordinator
Lew Halprin, Technical Assistant
stowtv@stow-ma.gov
office 978-897-7732
380 Great Road
Stow, MA 01775

The Alliance for Community Media of New York
93 Wiccopee Road, Putnam Valley, New York 10579
www.acmny.org – 845-528-7420 – Arrien@optonline.net

March 30, 2016

To:
The Federal Communications Commission

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of the Alliance for Community Media of New York. We are a 100% volunteer organization that works to promote the existence and viability of Public, Educational and Government access throughout New York State. I also work in the PEG industry as the head of the Community Media Department for the Town of Putnam Valley, New York where I manage two local access channels, a Government channel and an Educational channel. I am routinely included in cable franchise negotiations with cable companies such as Cablevision and Verizon. Some of my comments are based on first hand experience in negotiation and others from consulting with my colleagues throughout the State.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

"We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

As a rule PEG channels have not been given the opportunity in my Town or other municipalities in New York State to include the descriptions of our programming on the Electronic Program Guide. This makes it impossible to record our programs on a DVR. This makes the programs we create less viewable to people who can not be home to see that program when it aired in that time slot. There has been no incentive for the MVPDs to provide this EPG service, and no penalties if they do not, hence we still have no Electronic Program Guide for PEG. If there are technical barriers, they are clearly surmountable in this era of remotely updatable information via a webpage with a password. What we have here is a lack of will. The prohibition against editorial control of PEG channels is completely irrelevant to this issue, except for the fact that no intervention at all is tantamount to allowing the discriminatory practice against PEG to continue. When we complain to our State agencies about problems of PEG parity with commercial TV, they always defer to the FCC as the rulemaking body. The only source of authority in this area is the Commission, since these are telecommunications issues and the Commission is the designated authority in this area because of its expertise.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

For the last 8 years I have been asking our cable provider (Cablevision) for information on the timetable for the PEG channels to be transmitted in High Definition (HD). I explained that the reason I was asking was to plan replacing my equipment as it failed with HD capable equipment. In all that time nobody returned my call, even after I repeatedly left the HD question with the secretary of the government liaison for the company. Finally about a year ago, I called again and was given the answer that there are NO PLANS for the cable company to deliver the PEG channels in HD. I have been in touch informally with other PEG colleagues in the NY and NJ Cablevision area, and the estimates were a minimum of 7 years before they could even consider HD. More recently the estimates have been 10 years or "maybe never". The only couple of HD channels in my State are in Manhattan and Brooklyn. My Town of Putnam Valley is currently in franchise renewal negotiation, and when the subject of HD came up, we were basically told that there are no plans for HD at this time. This not only makes it impossible to plan for technical component upgrades, but it is just horrible to consider that we may be showing our Government and Educational content in Standard Def for 10 years or more, whilst the vast majority of the programming continues to be in HD or even greater video resolutions as 4K within the next 5 years. It creates problems in post production to 'down convert' HD into SD. The image looks worse than if it was produced in SD originally because of visual artifacting from conversion of the codec. This puts NY State residents at an increasing disadvantage to be able to see sufficient resolution on images of maps and plats in Planning and Zoning meetings, the amount and size of text in presentations on PowerPoint, the informational Bulletin Board TV Scroll, etc. It is simply backward and unfair to expect PEG channels to continue in Standard Definition (720x480 pixels) while the rest of television moves on. This was not the intent of the original Telecommunications Act, to place PEG video resolution far below that of commercial television. Only the FCC can demand that non-commercial PEG be treated equally to commercial television.

We have already replaced our Bulletin Board TV Scroll device with an HD capable Tightrope Carousel 330. Sadly, we can only cablecast in SD, so we cannot take advantage of the extra resolution in this multi-zoned digital signage device. Like most municipalities and Community Media Centers in New York State we will be replacing our (10 year) old SD playback equipment in the next few months with monies from our franchise renewal. Even though cable is not providing an HD delivery it is insane to replace this antiquated SD equipment with more SD equipment that is simply 'new'. We will be investing in a Telvue Hypercaster system which is capable of i.p. transmission in HD. We have HD cameras now, and intend to install robotics with HD cameras because if the cable industry pulls out completely, we will need to still create our programs in HD for the web or for future MVPD that take their place. For post-productions we have both the CS6 software and 64 bit editing systems that are full HD capable and the only thing holding us back is the lack of HD delivery of cable. We need the FCC to require that HD delivery be provided to PEG channels. It is unfair not to. HD has 4 times the pixel area of SD, and it is ridiculous to force PEG channels to function with antiquated low resolution delivery of Standard Def. There needs to be a 'rule' on this from the FCC.

As if the HD problem wasn't enough, I would like to call attention to the existence of unfair negotiating practices with regard to our franchise agreements.

Cablevision has, in the last 10 or so years, started requiring certain language in the franchise agreements of many municipalities that will let the company pay less franchise fees and capital monies depending on the existence of not only new cable providers, but also of NON-FRANCHISED multi-channel video providers. My town is very rural and hilly. Cablevision brought service into our area around the year 2000. Since then only Verizon Fios approached the Town for a franchise agreement. Right after our negotiations started, they abruptly ended as Verizon Fios decided to halt its expansion. Over the years, however, they have continued to wire our town for internet, but not actually offer a cable product. They are currently partnering with Satellite providers for the video distribution. We have been concerned in the Town that they will eventually offer OTT (Over The Top) video programming over the internet, and will take away many more subscribers from Cablevision, which is our only source of franchise fees or previously negotiated capital funds. Now Cablevision has put "Competitive Fairness" language in their agreements. Their clause 34.2 in our proposed renewal agreement states that:

"In the event that a non-franchised multi-channel video programmer/distributor provides service to residents of the Municipality, the Franchisee shall have a right to request Franchise Agreement amendments that relieve the Franchisee of burdens that create a competitive disadvantage to the Franchisee. In requesting amendments, the Franchisee shall file a petition seeking to amend the Franchise. Such petition shall: i) indicate the presence of a non-franchised competitor(s); ii) identify the basis for Franchisees belief that certain provisions of the Franchise Agreement place Franchisee at a competitive disadvantage; iii) identify the regulatory burdens to be amended or repealed in order to eliminate the competitive disadvantage. Upon written receipt of a petition seeking such relief, the Municipality shall provide the Franchisee with an opportunity to be heard on its request for amendments to the Franchise. The Municipality shall no unreasonably withhold granting the Franchisee's petition and so amending the Franchise agreement."

This clause is entirely unfair because if a non-franchised multi-channel video distributor (such as Satellite service, which exists now, or a future OTT video provider) delivers video in our Town, those services bring no franchise fees to the Town. If they did, then I could understand this clause. However, if our Cablevision subscribers drop cable and go over to these new non-franchise multi-channel video providers, then we LOSE THOSE FRANCHISE FEES in DIRECT PROPORTION to the loss of the Gross Receipts that Cablevision would have received from those lost subscribers. To FURTHER PENALIZE THE TOWN to give back a portion of their franchise fees, readjust their gross revenue definition or reduce other capital monies previously agreed upon is UNFAIR. In New York State our municipalities are permitted up to 5% of the gross receipts. Why should loss of subscribers be blamed on the municipality who has a proportional share in those profits and no way to assess fees on the competitors? The clause above is in approximately 200 franchise agreements in the greater NY City area (including New Jersey and Connecticut). It tends to be in the agreements of the smaller municipalities (LFAs) that cannot afford to hire a telecommunications attorney for franchise negotiation. So this sleeper clause can suddenly cause a vast drop in the franchise fees to the municipality should it be invoked in the coming years. This would have a devastating effect on my municipalities.

The FCC should not allow these unfair negotiating practices to continue.

<u>The inequity of not forcing other video providers such as Satellite and OTT internet providers to pay their share of Franchise Fees to the municipality seems to be to be at the heart of the matter.</u> The FCC should make it fairer to the municipalities to charge for the right of way, be it cable, internet, or satellite transmission through the atmosphere so as to

contribute to the cost of continued Public, Educational and Government Access. The funding stream for PEG was originally the cable companies, but the laws have failed to keep pace with the changing technology and forms of distribution. All forms of video transmission must contribute to the cost of PEG, and the local programming from those channels should be made mandatory carriage on any new form of video distribution for the good of the people to see their hyper-local coverage. Amendments should be made to the Communications Act to reflect new and future carriers of video programming, and provide for PEG funding streams for the future. The plans of our cable company are to also offer OTT programming to their customers. That will exempt them from paying franchise fees to the municipality for those services. So we lose again, even if it's not from outside competition. The problem is that internet delivery should not be exempted from paying franchise fees. This was the intended funding stream to provide for PEG Access from the Telecommunications Act. That intent should be carried on by the FCC.

These inequities, combined with the lack of inclusion on the Electronic Program Guide, and the lack of HD for PEG channels puts PEG at a serious disadvantage in terms of our share of the television viewership. The non-commercial PEG channels should have equal protection under the law for visibility, quality of image, channel accessibility and continued share of the profits as their commercial counterparts.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Maryann Arrien
Chair: Alliance for Community Media of New York
www.acmny.org
Arrien@optonline.net
845-528-7420 phone & FAX
845-216-6683 cell

Facebook: "ACM New York"
Google+: "ACM New York"

Board Member: Alliance for Community Media North East Region
www.acm-ne.org

Building Community Through Media

Foxboro Cable Access, Inc.

COMMUNITY TELEVISION – PUBLIC • EDUCATION • GOVERNMENT

March 30, 2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Foxboro Cable Access, Inc. in Foxboro, Massachusetts. We provide local public access television on three channels, The Public Channel, The Education Channel, and The Government Channel, to the residents of our town with a variety of high quality programming around the clock. A cadre of over 50 highly skilled regular volunteers, all residents of the community, produces a wide variety of Live and taped programming including government meetings, school sports, music and drama, town history, church services, senior center events, cooking, community events and interviews among many others. Town residents depend on us for critical information needs.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Although we maintain an interactive website with program scheduling details and Video -On-Demand capability, print the schedule in the local newspaper, and display it on the channels' Bulletin Boards, we still get numerous calls from frustrated residents looking for program dates or times, because our channels are blank in the TV Program Guide.

P. O Box 524
Studios at 28 Central Street, Foxborough, MA 02035

vox: (508) 543-4757 ▪ fax: (508) 543-0858 ▪ e-mail: info@fcatv.org ▪ website: www.fcatv.org

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We have recently made a considerable investment to purchase a sophisticated multi-media cablecast and Bulletin Board system that has the capability for HD distribution already built into it. Our limited staff has invested their time into learning how to use the features to best serve our community, … we just need the cable service providers to realize that local public access television is a great value to each community, and make the industry's technical advances available to us as well as the big networks. We're ready today with great looking programming and all kinds of distribution technology! But viewers can't see it that way because or channel space is being marginalized to the lower tiers and viewers are used to browsing the HD channel tiers.

Through the foresight and planning by our Board of Directors over the past 34 years, we are able own our own studio and state of the art High Definition production equipment, computer editing lab and Mobile Studio. We provide training to students, parents, and any other interested resident and countless hours of volunteer time goes into creating interesting programs with high production values and technical quality.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Margaret Nash

Administrative Assistant

Foxboro Cable Access, Inc.

P. O Box 524
Studios at 28 Central Street, Foxborough, MA 02035

vox: (508) 543-4757 ▪ *fax:* (508) 543-0858 ▪ *e-mail:* info@fcatv.org ▪ *website:* www.fcatv.org

03/30/2016

Alliance for Community Media

1825 K Street NW, Suite 400

Washington DC 20006

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of **Schopeg Access, Inc., a 501(c)(3) corporation, providing public, educational, and governmental programming to fifteen municipalities in Schoharie and Schenectady Counties in the State of New York. Schopeg Access, Inc. records and cablecasts municipal and School Board meetings, trains faculty members from five central school districts in video production for curriculum development, provides central schools with video equipment, encourages student video clubs to produce programming, develops and cablecasts programming of local interest with local crews and talent, and cablecasts a community bulletin board**.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Schopeg's Cable provider, Time Warner, does not make PEG programming information available to subscribers on its system. While Schopeg has a live stream on its website, setup by an outside vendor with the stream coming from Schopeg's server and encoded by them, those subscribers without internet service have not access to it.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

In regard to HD distribution, Schopeg hopes to upgrade equipment in the future to record in HD. In regard to cablecasting in HD, our cable provider does not yet allow us to cablecast in HD

Schopeg has limited ability to monitor signal quality from various locations. It relies on feedback from viewers. Schopeg needs test equipment to insure signal quality in the future.

We appreciate the opportunity to enter this information into the record.

Sincerely.

Michael Vandow, President

Schopeg Access, Inc.

3/29/2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Willamette Falls Media Center. WFMC is supported by cable subscribers of Damascus, Milwaukie, Oregon City, Wilsonville and the unincorporated regions of Clackamas County. As a public access facility and community media center WFMC provides cities with channel management services, is a production training facility, a host agency for internships and senior job skill building, and media support, for local events. WFMC manages five local cable channels. These PEG Channels are the community's Public, Education and Government Channels. WFMC also provides programming for a sixth channel known as the Cable Access Network (CAN) Channel. This channel cablecasts out to Washington, Multnomah and Clackamas County. This channel is reserved for local producers. We appreciate the opportunity to provide information for the FCC's inquiry,
The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

WFMC does not have IPG.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Unable to achieve HD distribution as our City customers do not have HD and are in negotiations with cable company.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Melody Ashford,
Executive Director
Willamette Falls Media Center

Andover Community Access & Media
80 Shawsheen Road
Andover, MA 01810
P 978-475-9723
F 978-474-4168
www.andovertv.org

March 30th 2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Andover Community Access & Media. We operate the PEG access channels in Andover Massachusetts providing community centric local television by and for Andover residents. We also maintain and operate the community television studio as well as seven municipal live broadcast sites bringing most every town board meeting into the living rooms and streamed onto the computers and mobile devices of local residents.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

We have been asked almost on a monthly basis why we do not have our playback info included in the "program guide" available to customers on every other channel that Comcast and Verizon provide to customers. We tell them the only thing that we can and that is that the providers do not offer us such an opportunity. We tell them that we're told it is a matter of the equipment not being available but that really just boils down to the providers not wanting to invest the money in PEG access for such a use.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We like to think of ourselves as one of the more advances PEG outfits in the area. As such we would like to move all of our facilities to HD for live broadcast but have not invested the money yet. Not because we are not willing to do it, but because Comcast and Verizon are not willing to give us HD throughput to their head ends and real estate in their HD channel tier. We have 2/7 meeting rooms HD ready as well as our production studio whenever and if they would be willing to offer us channels in their HD tier. Until that time unfortunately we are overlooked by many viewers because our channels still reside down in the double digit SD tier.

We feel that we as an organization are and have been ready for some time to meet the technical HD standards of broadcast channels our cable providers already offer to their customers. We're willing to invest on our side but until Comcast and Verizon are ready to accept HD broadcast from us our hands are tied.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Wess Murphy

Executive Director

Andover Community Access & Media

4 Collins Ave
Plymouth MA, 02360
Phone (508) 830-6999
www.pactv.org

March 29, 2016

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Plymouth Area Community Access Television. We are an access organization that has served four communities (Plymouth, Pembroke, Duxbury and Kingston) in Southeastern Massachusetts since 1997.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Our viewers indicate that they use the channel guide as a tool to see what is available to watch, and then use it to click onto the channels they will watch. Since our schedule is not on the channel guide, they don't tune in to our programs unless they make a special effort to find our schedule on our website. This does not happen under normal circumstances, causing a decrease in our viewership.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

We are currently in negotiations with Comcast for HD channels as our contract with Comcast in Plymouth expires in the summer of 2016. We have the technical equipment to cablecast an HD signal, having recently upgraded our playback equipment to allow for this. We are ready to cablecast an HD channel as soon as Comcast allocates an HD channel to us.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Nancy Richard

Nancy Richard

Plymouth Area Community Access Television, Inc. (PACTV)

Town of Penfield Access Television
3100 Atlantic Avenue, Penfield, New York 14526
www.penfieldTV.org | pctv@penfield.org | (585) 340-8661

March 30, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

I am writing on behalf of the Town of Penfield Access TV. Penfield TV provides Public, Education and Government access television and electronic communication services to individuals, community groups, and local county and state government agencies. Penfield TV's primary goal is to provide opportunity for live community participation through TV and internet to those individuals who are unable to attend a government meetings, community events, or educational presentation.

We appreciate the opportunity to provide information for the FCC's inquiry,

The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry:

> "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

The cable provider serving our community does not provided an active Information Program Guide (IPG) for PEG Access content. Our facility has the technology and ability to provide this information to the cable operator in several electronic formats, but has been denied. The lack of an affective IPG places a hardship to local governments, educators, and viewers. The inability to know when officials and community representatives will be addressing there constituency does not allow for an open and transparent government.

The FCC also asks a series of questions about the ability of independent channels to achieve distribution on MVPD systems and the negotiating practices of MVPDs.

Penfield TV has been producing programming in HD, in accordance's to the Society of Broadcast Engineers (SBE) standers, since 2013. Our organization works closely with local and national SBE chapter members to ensure proper standards are met. Our signals are ready for distribution in full HD.

The MVPD serving our community will not allow for HD broadcast to PEG operations in HD, calming bandwidth limitations. Yet paid programing lineups continue to grow. Negotiations between the cable provider and the local franchise authority was discontinued over 11 years ago and have not resumed. The franchise for our community is more than 13 years pass due.

We appreciate the opportunity to enter this information into the record.

Sincerely,

David Renner

Town of Penfield Access TV
Cable TV Coordinator

March 30, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Methuen Community Television in Methuen, Massachusetts. As a non-profit corporation, we manage, facilitate, and coordinate public access programming for residents of all ages and abilities. The station shares local programming and information 24 hours a day.

We appreciate the opportunity to provide information for the FCC's inquiry, regarding Public, Educational and Government Access channels with respect to making PEG programming information available to subscribers and other questions.

Without a programming schedule listed on the guide with everyone else's, MCTV relies on channel surfers to click on a station with an unattractive title of "Government Access" or "Local Access". In this instant gratification society, viewers are not even offered the option to instantly see what is airing on their local station so that the remote stops to take a look. Other stations do not have to spend extra effort and time to share this information on other platforms as we must. Our purpose is to serve our community – not to make money. We do branding and marketing that includes channel numbers, but this is an important tool that we have been excluded from and makes our job harder.

We do post our schedule on our website, but still have senior citizen viewers who are not computer literate or do not own a computer. While programs are running, there is no way for them to see what is on and what will be on later that day. We have several programs geared to this population.

"What's Up at the Senior Activity Center" is produced monthly to inform and inspire seniors to go to the center and get involved,

"Call to Serve" features interviews with military veterans from all branches of the service and eras,

“For the Young at Heart” contains information on topics of interest to those 60 and older and their families.

We have a full slate of different religious services on Sundays as well.

We just experienced an outage that lasted 3 ½ days and several seniors called to find out when we were going to be back on. For home-bound senior citizens, we are a connection to their community. For these people, how are we reaching them if we can not get them on a computer or mail our schedule to their home?

To add to this disadvantage, stations like ours are not often designated an HD channel even if HD cablecast ready. All of our productions are able to be created in HD right now. Many viewers are watching HD channels only since they pay extra for it. What might be of interest - like a local news magazine, election coverage, high school basketball game or program about a community group that needs their help – is not discovered. We have been told at every discussion, even during license renegotiations, that this is not currently possible. When will it be? We don’t get an answer.

We would absolutely encourage the FCC to work with our MVPD’s to make both HD capacity and program guide listings available to the citizens of our city.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Karen Hayden
Executive Director
Methuen Community Television
Methuen, MA

MASS ACCESS

March 30, 2016
Re: Promoting the Availability of Diverse and Independent Sources of Video (DN 16-41)

Dear Ms. Dortch:

I am writing on behalf of Mass Access. Mass Access is a nonprofit, community media advocacy group that represents over a hundred community media centers in Massachusetts.

We appreciate the opportunity to provide information for the FCC's inquiry. The FCC asks the following questions regarding Public, Educational and Government Access channels in the inquiry: "We seek comment on MVPD's practices with respect to making PEG programming information available to subscribers. To the extent that MVPDs do not make this information available, is this for technical reasons, and if so, can the technical barriers be surmounted? Is the Congressionally-imposed prohibition against editorial control of PEG channels relevant to this issue? What is the source of the Commission's authority in this area, if any?"

Mass Access regularly communicates with community media centers all over Massachusetts. The two most common complaints shared by those centers is the unwillingness of cable providers to support high definition broadcasting or to provide content listings in the electronic program guide.
Mass Access recently conducted a survey that proved that the vast majority of community media centers are already HD-capable. Most own and operate HD equipment and produce content in high definition.

Without access to the High Definition programming tier the local PEG channels are getting left behind with our viewership and many local voices are not getting heard. As suggested by many, Cable's excluding PEG channel from the HD tier may be a form of censorship or at least illicit editorial control by the cable companies over the PEG channels.

We appreciate the opportunity to enter this information into the record.

Sincerely,

Board of Directors
Massachusetts Community Media Inc, (MassAccess)

Appendix B

Technical Considerations Related to Implementing the Requirements of the Twenty-First Century Communications and Video Accessibility Act of 2010

MB Docket Nos. 12–108, 12–107; FCC 13–138

Lee Afflerbach, P.E.

2/17/2014

Introduction

Electronic Video Programming Guides (VPGs), in one form or another, have been an integral part of cable television since the inception. In the earliest systems only a limited number of channels were available to subscribers. Typically one of the channels (a "barker channel") was assigned as an electronic bulletin board using an alphanumeric character-generated display. Over time the number of subscriber channels increased to the point where multiple pages were required to list all channels. The additional channel information was addressed by either scrolling the page or switching between several different pages of text, permitting sufficient time to review each of the pages.

The industry's move from analog to digital transmission technology—and to sophisticated, addressable home subscriber converter devices—has more or less eliminated the legacy analog character-generated barker channel. Most modern systems that still retain analog services no longer rely on a barker channel to display all channel listings. Instead, the channel and program listing information displayed on the subscriber's VPG is stored, and periodically updated, within the converter device at the subscriber's premises. The VPG data is downloaded and periodically refreshed within a data stream included within the bandwidth of the cable system.

The programming information of the VPG display is performed at a location separate from the cable system headend, typically by a third-party VPG provider. In general, VPG information on an individual cable system's programming varies with the subscribers, geographic location, and the service provider. Each of the major cable MSOs has its own in-house approach to channel assignment, bandwidth utilization, and service delivery. There is no standard channel line-up. Third-party VPG service providers therefore have implemented flexible systems to support a wide range of programming options.

Cable System Architecture

The requirements for the VPG display used in the cable industry are relatively generic in nature. Each system has to address many of the same requirements while having differing network architectures and programming content. Here we examine how program listing information is provided to the VPG functionality of the cable system and how cable systems differ in architectural design.

Cable systems were originally confined by technology to covering relatively small geographical areas due to the limitations in the transmission characteristics of the coaxial cable electronic amplifiers used to propagate signals from the headend source to the subscribers. However, the introduction of fiber-optic cabling, enhanced electronic devices and digital technology extended the distance for transmitting high-quality video signals from several miles to literally thousands of miles. Major MSOs now operate large, centrally located headend facilities that are the source of the majority of the national programming carried on their individual cable systems. Fiber-

optic networks are used to transport the signals to local distribution centers, often referred to as master regional headends. It is at these locations where insertion of local programming, such as local off-the-air broadcast stations, public, educational, and governmental (PEG) access programming, local-insert advertising, and interconnection with the Emergency Alert System (EAS) occurs.

It is also at the master regional headends where the mix of channels and VPG program information for a discrete distribution area are generated. The distribution areas typically conform to jurisdictional boundaries established as part of the local franchise agreement. The channels carried on the network represent a mix of nationally syndicated satellite services, as well as locally required services, such as local off-the-air broadcast channels and local PEG access channels. It is at the master local headend that the cable operator generates a transmission of individual channels that addresses service requirements within the jurisdictional area.

Figure 1 illustrates the operation of the modern cable system serving a multi-jurisdictional metropolitan area. Traditional cable operators, such as Comcast, Time Warner, Cox, Charter, and many other cable service providers, employ this type of architecture.

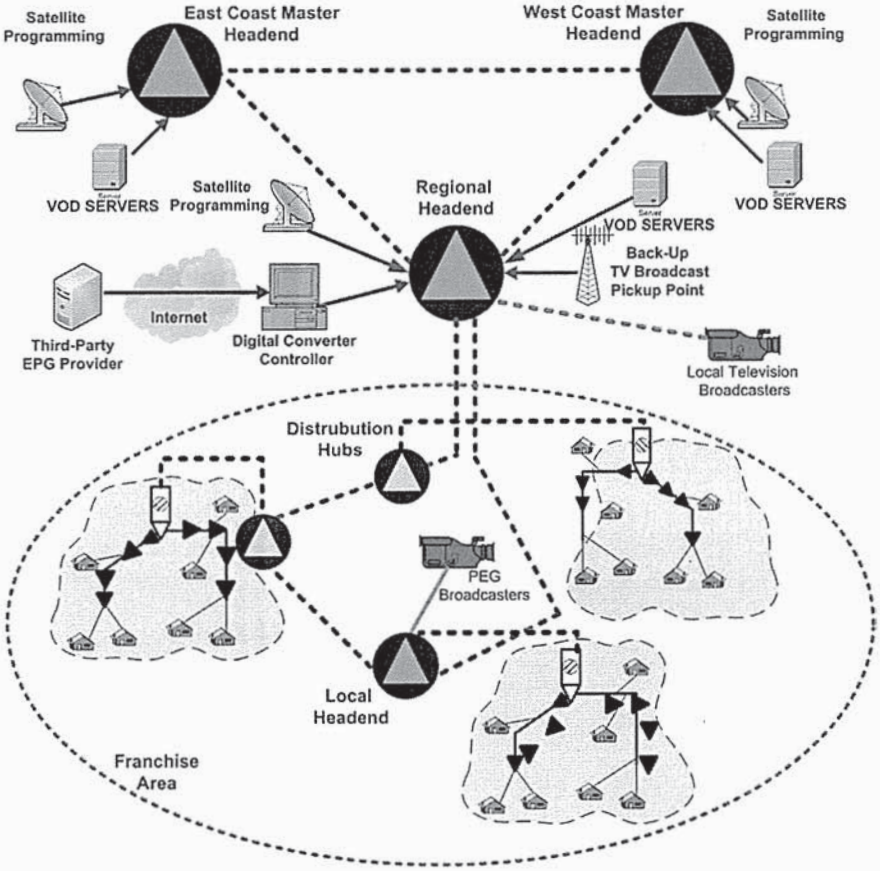

Figure 1: Nationally Distributed Cable Television Infrastructure

The cable TV industry has moved from individual local and regional systems to a reliance on national headend facilities, which operate in concert with master regional headend facilities. The facilities vary in size and complexity based on the population density, franchising requirements and the architectures unique to the individual providers. Verizon's FiOS network also has a similar architecture. The IP-based networks operated by AT&T and other local telephone company MVPDs—while using other transmission mediums (specifically, a mix of fiber-optic and copper wire distribution)—are also architecturally similar to traditional cable systems: They are composed of master national headend facilities and local master headend facilities to insert unique programming along with the telephone Central Offices to establish the interface between the fiber-optic and copper transmission lines.

Providing Full VPG Functionality to PEG Channels

Given the architecture and the diversity of areas covered by cable systems, modern VPGs are required to support a wide range of requirements regarding unique channel lineups based on jurisdictional boundaries, must-carry requirements, channel capacity, ability to update information in a timely manner, and flexibility for expansion. Modern cable systems support several hundred individual channels, including satellite network services, local off-air broadcast channels, local PEG channels, music channels, and video-on-demand. The conversion of off-the-air broadcasting to digital provides not just one channel per station, but in some cases up to 10 digital standard definition sub-channels that are carried on a cable system that were once only one channel. Each of these requires a separate entry into the guide. Modern cable systems also support a variety of set-top converter boxes and digital television adaptors.

From a hardware/software perspective, PEG access channels are no different than other channels carried on the cable system. VPG program listing information for PEG access channels can be provided in the very same manner that it is provided for all of the other channels carried on the system. Note that a typical cable system currently carries several hundred channels of programming, and the cable system's VPG contains complete individual program listings and descriptions for the vast majority of those channels. Having PEG access channels treated on parity with other programming services on the VPG should not present any additional burden on the cable operator. The cable operators have already installed and maintain the equipment needed to control and transport the VPG guide information from a third-party VPG provider, generally through the Internet, to the subscriber, as illustrated in Figure 1. No additional transmission path is required to support the additional requirements of providing local PEG access channel programming information. A requirement that a cable operator provide full VPG functionality to PEG access channels within a service area is minimal when viewed in light of the several hundred channels carried on a typical cable system and on a typical VPG.

Summary of Technical Finding

As pointed out in the foregoing discussion, there is no technical barrier to requiring video service providers to provide full VPG functionality for PEG access programing in a manner consistent with the program-specific VPG functionality provided to other video services carried on the cable system. From a technical perspective, we note the following situation existing in the current implementation of the nation's home subscriber entertainment video networks:

- The hardware and software are in place at the cable company's facilities to deliver program-specific VPG information relating to all channels on the system to all subscribers.
- A requirement to include full VPG functionality to PEG access channels would not require any modification of existing hardware/software, nor would it have any measurably adverse performance impact on the cable system.
- Programming content information for PEG channels can be entered through a third-party VPG content provider in the same way that it is entered for other channels carried on a cable system.

Lee Afflerbach, P.E.

Mr. Afflerbach is a telecommunications systems engineer with over 40 years of experience serving federal, state, and local government clients. Mr. Afflerbach's expertise covers a wide range of cable television and other related broadband communications technologies. He has designed, tested, and planned numerous wireless, coaxial cable, and fiber optic broadband networks for government, public safety, educational, and non-profit clients. He is a nationally recognized authority on cable television technology.

Mr. Afflerbach's extensive experience and expertise in both wireless and wired technologies results from years of evaluating and meeting emerging communications needs for government in general—and public safety agencies in particular. He has designed command and control centers for transportation agencies, has designed county-wide 911 systems, has developed communications design and requirements for highway systems; and has developed standards and assured compliance with standards for public safety communications equipment.

A licensed Professional Engineer, Mr. Afflerbach has served as a consultant and expert witness for public sector clients and has taught numerous courses in broadband communications technology, both in the United States and abroad.