

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
Promoting the Availability of Diverse and) MB Docket No. 16-41
Independent Sources of Video Programming)

)

**REPLY COMMENTS OF THE SACRAMENTO METROPOLITAN CABLE
TELEVISION COMMISSION**

I. INTRODUCTION

The Sacramento Metropolitan Cable Television Commission (“SMCTC”) submits these reply comments in response to the Notice of Inquiry (“NOI”), released February 19, 2016 in the above-entitled proceeding.¹ The SMCTC is a joint powers agency representing seven member jurisdictions: the County of Sacramento, the cities of Sacramento, Citrus Heights, Elk Grove, Rancho Cordova, Folsom, and Galt. SMCTC historically managed the local cable franchises on behalf of its member agencies. Since the adoption of the Digital Infrastructure and Video Competition Act of 2006² in California, video providers within SMCTC have migrated to state-issued video franchises. However, even under these franchises, providers remain responsible for providing capacity sufficient, among other things, to provide the same number of PEG channels as were provided prior to the passage of the state law.³

¹ *In the Matter of Promoting the Availability of Diverse Programming and Independent Sources of Video Programming*, Notice of Inquiry, MB Docket No. 16- 41 (rel. Feb. 18, 2016)(“NOI”).

² Cal. Pub. Util. Code, § 5800 et seq.

³ Cal. Pub. Util. Code, § 5870.

Relevant to this NOI, SMCTC wished to expanded upon the opening comments filed by stakeholders noting the harm caused by multichannel video programming distributors (“MVPD”) not providing PEG content in high-definition (HD) format.⁴ In particular, the Commission should facilitate delivery of PEG programming which is produced in high-definition (HD) format to customers by multichannel video programming distributors (“MVPD”) in HD, if technically feasible, as is the case with companies that deliver PEG via traditional linear channels, as evidence by the fact that in some places, these companies *are* delivering PEG in high definition.

II. PEG CHANNELS SHOULD BE DELIVERED IN HD WHEN PROGRAMMING IS PRODUCED IN HD, IF TECHNICALLY FEASIBLE

Given the advent of HD and its increasing predominance, PEG programmers have begun to develop PEG channels that can provide programming in HD. For example, SMCTC operates a governmental channel, Metro Cable 14, that broadcasts the meetings of many of SMCTC’s members’ governing councils and other local boards and commissions.⁵ Recognizing the importance of HD, SMCTC has invested funds to provide its programming in HD. The cable operator with the most subscribers in the area, however, refuses to carry signals in HD even if delivered to it in HD – and even though other local programming channels are viewable by HD subscribers in HD, while available to non-HD subscribers in SD. No technical reason has been offered for the refusal to carry PEG channels in the same way. We have no reason to believe the channels will be carried in HD at any point without Commission action or litigation.

⁴ See Opening Comments of Alliance for Community Media and the Alliance for Communications Democracy, p. 5; see also NOI, ¶ 21.

⁵ See <http://www.sacmetro cable.tv/Pages/AboutMetroCable.aspx>.

III. CONCLUSION

SMCTC appreciates the opportunity to comment in this NOI. While the SMCTC broadly supports any efforts by the Commission to assist PEG programmers, SMCTC requests that the Commission ensure MVPDs provide HD content in HD, if technically feasible as is the case with companies that deliver PEG via traditional linear channels.

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Respectfully submitted,

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