PROTECT THE AUTHORITY OF MUNICIPALITIES TO REQUIRE LOCAL VIDEO FRANCHISING.

This Notice of Proposed Rulemaking recognizes that new video competition is entering the market, as phone companies (like AT&T and Verizon) begin to launch their own television service. The Commission asks if the telephone companies are slowed or blocked in their expansion by the process of negotiating franchises -- the agreements that companies seeking to provide video services sign with local governments that set the terms for building cable television systems.

The Telecommunications Act of 1996 deregulated of cable television, and disenfranchised the

general public, with an increase of almost 60% in cable bills in some areas. In Baltimore City, cable modem service is reserved for those who can afford it, and our young people are grossly behind in their technology skills, as a result. As a youth media educator, I am teaching 17 year olds how to send e-mails, while their counterparts in wealthier communities are developing new web technology. The American people are watching the digital divide widen even as the need for access to high-speed networks increases.

Local communities MUST have a role in determining how new video and broadband providers operate and serve their community. This is the only means of public scrutiny of

what is becoming America's largest resource - the entertainment and communications industry.

The most important issue is not how to ensure the process is changed to suit the interests of telephone companies. Instead, the most important issue is how to ensure that the rights and services of local communities are protected and enriched. Media is intended as a means to educate, entertain, and share information to a specific audience. When the audience is also made up of people who engage in the franchising process, and/or produce media, they are a more invested and represented community. We should start with these desired outcomes and work backward to see if the process to

deliver them can be improved. Local governments undoubtedly will -- and must -- play a key role in any future franchising process.

Though the franchising process has not been perfect, it has been a critical safeguard to protect the interests of consumers and citizens in our local communities. Now that the phone companies are building television systems, local communities are hungry for new competition that could drive down costs, increase options, provide access to local content and bring us closer to bridging the digital divide.

These franchise agreements guarantee that local governments control

rights-of-way and obtain fair rents from the companies that dig them up to lay cable. They guarantee universal build-out of the technology and its advantages to every household in the community, not just affluent neighborhoods. They guarantee funding and facilities to provide public access television as well as other services like low-cost broadband for our schools and libraries.

There is a distinct lack of independent programming, particularly local independent programming, on cable systems. This is part of an even larger problem - the diminishing of public discourse, one of our country's greatest values. In

our city, with a population of over 600,000, we have just ONE public access channel, ONE city newspaper, and ONE public radio station. Of those three outlets, only ONE of them accepts and presents public-produced opinion: Public Access Television. Without community involvement in the franchise process, I fear that this outlet will be cut out, removing all publicly-controlled media from Baltimore.

This is largely the result of vertical and horizontal consolidation among the largest media companies and cable providers. We are required to buy channels we don't want or need because the cable operators bundle them together. The quality of customer service often

reflects the fact that cable television is not a competitive market. The mere presence of satellite providers does not drive down rates nor present an affordable alternative for broadband access. In fact, I know several people who spend over $100/month on their cable bill. They are essentially supporting the cable company as a shareholder, and given no opportunity to provide input or feedback!

In many communities, the only truly independent sources of local news, information and culture come from the public channels produced at community media centers. They are the only way many citizens see local government in action and often the only way residents get information about

events happening close to home. Some towns have been able to negotiate for funding to enhance and expand these resources. Others have obtained wired schools and libraries, resources for e-medicine, government efficiency programs and other educational initiatives. All use their negotiating power to ensure the entire community is served. In Baltimore, much of this power has been lost, year by year. We are already fighting an uphill battel locally, if the nation loses this power - we will have no doubt that our local cable franchise will close public access television down.