

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

Examination of the Future of Media and)
Information Needs of Communities in a)
Digital Age)

GN Docket. No. 10-25

COMMENTS OF
THE ALLIANCE FOR COMMUNITY MEDIA

Debra Rogers
Chair of the Board of Directors

Gregory EplerWood
Interim Managing Director

ACM
1100 G Street NW
Washington, DC 20008
(202) 393-2650

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I. INTRODUCTION

The Alliance for Community Media (“the Alliance”) is pleased to submit these comments to the Commission as part of its inquiry into the Future of Media and Information Needs of Communities in a Digital Age, under Docket No. 10-25. A number of the questions posed by the Commission in this far-reaching proceeding allow the Alliance to address not only the strengths of the estimated 3,000 local public/educational/governmental (“PEG”) access channel operations around the country, but also the factors that have, over recent years, increasingly inhibited—and in some cases eliminated--the ability of these operations to provide services to their respective communities.

Our comments provide context and facts that speak directly to some core questions:

- What are the key assets of PEG Access that deserve protection?
- How do PEG Access providers view and integrate broadband and Internet-based applications into their provision of community services?

- Is it possible, as the Commission asks, for the PEG Access model to be integrated into public broadcast media in order to enhance civic engagement, local journalism, government accountability and the general welfare of the community?
- What are the factors contributing to the recent widespread reduction of the number and capabilities of PEG Access operations?
- What can and should be done to preserve and enhance the essential key assets of the PEG Access model?

We also provide data and other forms of information that will aid the Commission in its formulation of what we hope will be recommendations for how the PEG Access model and its thousands of experienced practitioners can expand the use of community media to increase civic involvement, help solve local problems and enable individuals and organizations to be more effective communicators.

II. THE PEG ACCESS MODEL

A. General Overview. No discussion of PEG Access is complete without a review of some basic characteristics of our field. One key aspect is indicated by its acronym: P-E-G. While the Cable Act of 1984 refers to “public, educational or governmental use” together, there have always been fundamental differences among the three types of noncommercial programming provision—differences that make not only the quantitative measurement of the size of PEG difficult, but also

leaves wanting any simple qualitative measurement of their utility and impact upon those communities in which they exist.

“P,” or Public, Access was the driving impetus behind the birth and rapid growth in the early 1970’s. Its supporters, and indeed the Congress when it passed the 1984 Cable Act, focused on its value as an important electronic forum for public expression in the marketplace of ideas. It was a time when that “electronic marketplace of ideas” was limited to three broadcast networks and a paucity of local voices on the airwaves. Over the years, Public Access programming on cable systems has been a forum for robust and very local conversation. In its early years, the predominant management entity was the cable operator, but for many reasons this has evolved predominantly to management by 501(c)(3) non-profit community corporations. But as we’ve seen, and as is later discussed, it has been this “Public” component of PEG Access that has suffered the most, a fact that threatens the public’s First Amendment rights to this particular electronic medium.

Both “E,” or Educational, and “G,” or Governmental, Access have generally been managed by educational institutions and municipal agencies, respectively, and their purposes and management structures, while often significantly different from each other, have been alike in their primary focus on conveying a specific class of messages to their constituents and not necessarily on providing a First Amendment voice to the general public.

These differences make it difficult to create a unified philosophical and regulatory scheme that would help inoculate the PEG Access model against the vagaries of local governance, destabilization of funding, its anathematic treatment by cable industry and, more of late, successful lobbying by new video entrants who have convinced over 20 states to legislate state regulatory franchising constructs that have driven a wedge even further between PEG Access and the communities it serves.

Wide differences in the manner in which and by whom each PEG Access provider is structured, governed, administered, delivered and regulated, and the extraordinarily wide range of clients with different needs that it serves, all factor into the difficulty of measuring its characteristic dimensions. PEG Access entities often operate (to varying degrees of financial capability) as true “community media centers,” from which they provide a wide array of services in a wide array of forms to a wide array of community institutions, organizations and individuals. The resulting number of types of characteristics, attributes and activities is quite large.¹

Even doing a simple head count of PEG Access centers encounters difficulties. The best estimate of the number of PEG Access providers around the United States, 3,000, was made in 2007—the most recent attempt at a comprehensive inventory.

The network of Alliance members and its leadership has been called upon as volunteers to seek out all access centers. This met to only some degree of success;

¹ The Alliance has published four editions of its Community Media Resources Directory (CMRD) between 1987 and 2007. The survey form used to poll PEG Access providers for its latest CMRD consists of over 150 individual descriptive data fields.

however, we now know, anecdotally through these studies, that there are a significant number of unorganized and unfunded PEG Access-like operations providing creating local programming “under the radar” throughout the United States. These are informal groups or committees of residents, and also smaller rural cable operators, that in the spirit of the PEG Access model produce their own local programs, share personal equipment, create community bulletin board announcements and cover local meetings.

The Alliance recommends that the FCC conduct a thorough, independent and comprehensive study of the scope and depth of PEG Access, not only to measure its numbers and prevalence around the country, but also to control for and examine factors that are primary to its success or failure: funding, political and corporate influences and administrative structure. This recommendation is also found in H.R. 3745, the Community Access Preservation Act, currently in the House Committee on Energy and Commerce.

B. Core Values of PEG Access. Any discussion of the PEG Access model of community programming is incomplete without an exploration of its foundational Core Values. Without these elements present in significant measure, any administrative structure or mechanism that provides local programming is lacking key characteristics that our field has found to be essential for maintaining fundamental human dimensions in the video medium.

1. **Localism:** Supports local viewpoints, local perspectives, and the interests of local communities. Most mainstream media programming is intended for national audiences and does not reflect the rich diversity of American community life.
2. **Diversity of Viewpoints-Participatory:** Local communities must be able to make and air media that reflects local experiences. Our society is founded on a belief in freedom of expression and free speech.
3. **Promote Dialogue and Discussion:** Democracy works best when a wide array of voices and opinions can be seen and heard. The airing of opinions creates an opportunity for dialogue around issues and concerns that people and the community must address.
4. **Reaching out to the Less Connected:** The most technically-inclined and those who are more adventurous and experimental are the first through the door. It is that 40% of the community who are unconnected, but still who have something to say and have the potential of being an effective and engaged communicator, that is the focus of PEG Access outreach and empathetic training.
5. **Media Literacy:** A basic tenant of civil society is that the lives of all members of the community are important, and all members of society should be able to represent themselves in the media. In order to represent themselves they need access to the electronic media tools to create content, the training to use the tools, and the mechanism(s) to distribute community content.
6. **Non-commercial:** PEG Access is an essential component in our public media ecosystem where, like a public park, we can reflect on who we are without the interference of commercial values.

7. **Civic Engagement:** Many of the decisions that most affect our lives are made at the local level by city councils, school boards, mayors, and so on. PEG access keeps the public informed about local government elections, about health services, about public housing, and about other important local political and economic development activities.

8. **Education:** Public, Educational and Government (PEG) access plays an important role in our educational system. It provides a distribution medium for use by schools, libraries and colleges; and it is especially important for education in low income and rural communities.

9. **Public Safety:** In many areas PEG access channels provide for emergency information and community alerts.

10. **Electronic Greenspace:** All communication service providers using the public right-of-way or public airwaves should provide bandwidth and funding for PEG access.

C. PEG Access is Highly Valued. The diversity and localism of PEG Access are at the heart of its strength, but unfortunately work to its detriment in the dominant commercial media environment. The structural PEG Access model is focused on serving local needs of individuals, community-based organizations and local institutions. The fact that many of its assets are so uniquely operationalized from locale to locale is a key factor for considering when determining metrics for measuring success. This proceeding has provided an opportunity to aggregate both quantitative and qualitative evidence of the value of PEG Access. For example, the comments filed by The Alliance for Communications Democracy in this proceeding

cites a compilation of professionally conducted telephone surveys that were commissioned during the past fifteen years in 53 communities throughout the United States. These surveys revealed that 74% of the cable subscribers contacted say that community programming is very or somewhat important. (Group W Communications, 2010).²

PEG Access practitioners and advocates have over the years repeatedly encountered cable operators and detractors who maintain that their studies show that cable subscribers do not wish to pay for PEG Access. But contrary to what the cable industry would have you believe, in a sampling of 29 communities where subscribers were asked a question regarding their perception of the value of PEG Access: “How much of your monthly cable bill do you think should be set aside and used to create local community programming about organizations, individuals, events, schools and local government?” 59% responded with a figure of \$1 or more per month, and 20% of those responding stated \$4 or more. (Group W Communications, 2010)

In a supportive regulatory environment, PEG Access can thrive and play an extraordinary role in improving its community. In the State of Vermont, a unique form of state franchising has been in place since 1992 in which 100% of the franchise fee is, for all intents and purposes, paid directly to 25 independent local

² In a 2008 study done in the Brattleboro, VT area in which four separate surveys were conducted among a total of 225 individuals, an astounding 96% felt that BCTV, the local PEG Access non-profit, was very or somewhat important to their community. (Mediavox, 2008) These type of results are common in several other surveys done in communities where PEG Access has been given room to thrive.

non-profit PEG Access centers. Cable providers of over \$2 million of gross annual cable revenue are required to provide PEG Access; however, the statute also requires these cable operators to solicit for local groups to organize and independently provide the service. Even a Comcast-commissioned survey to study its customers' attitudes toward PEG in its Vermont systems (which cover about 80% of the state), found that a very high 64% rated the overall quality of PEG Access programming as good (35%), very good (20%) or excellent (9%). (RKM Research and Communications, Inc., 2008)

Recent survey findings are of particular interest in measuring how cable subscribers value local cable programming in comparison to well-known national cable programming services. Telephone surveys were commissioned in three communities over the past two years in which such comparative questions were asked for the first time. In all three cases, the perceived value of local programming compares very favorably with the commercial channels. (The Buske Group and Group W Communications, 2010)

Question #1: How much of your current cable bill do you think should be set aside each month to support the development of local cable programs about area organizations, individuals, events, schools and local government -- four dollars, three dollars, two dollars, one dollar, nothing or some other amount?

Question #2: How much of your current cable bill do you think should be used each month to pay for the following channels: four dollars, three dollars, two dollars, one dollar, nothing or some other amount?

[Figures are Average Mean Response, in Dollars]

Com- munity	Local Programs	ESPN	Fox News	Sci-Fi	Comcast SportsNet	MTV
#1	3.27	1.44	1.27	1.00	0.75	0.76
#2	3.12	3.26	2.07	0.98	--	0.65
#3	1.09	0.98	1.07	0.96	0.84	0.51

D. Assets of PEG Access. There are several key positive attributes to the PEG Access model that make PEG Access unique in the realm of public communication in the United States and around the world. PEG Access:

- Has local and hyper-local content and control;
- Enables members of the general public, without government censorship, to freely express themselves by means of equipment access, training, facility use and exposure on cable channels and other forms of electronic distribution;
- Provides “gavel-to-gavel” coverage of a wide array of government, school and other official and unofficial public meetings and hearings;³
- Strongly supports coverage and reporting of campaigns and elections;⁴
- Is a physical, publicly-accessible place where individuals of different politics, religions, colors, native origins, physical abilities, languages, educational level and economic status are able to meet, interact and become familiar with each other;

³ Survey after survey consistently shows that local municipal meetings are the most-viewed type of PEG Access program. Live coverage is very common, and an increasing number of PEG Access centers are carrying “clickable agenda” on-demand replays on their websites. No comprehensive data is yet available for the latter.

⁴ In a recent self-selecting online survey conducted by the Alliance, 127 access centers responded and 82% indicated they carried candidate debates, 73% candidates’ interviews, 51% issue-based debates and 50% live local election coverage.

- Allows individuals to fulfill their need to create, communicate and thereby engage in community socializing behavior;
- Provides free or extremely low-cost access to electronic media to non-profit organizations, individuals running for public office, teachers and their students, libraries, police and fire departments and local municipal agencies.

In recent years, considerable attention has been focused on four areas of concern in our nation's media ecosystem: the concentration of corporate ownership of the mass media, the decline of print and broadcast journalism, the deployment and adoption of broadband and Internet technology, and the funding and direction of the public broadcast media.

Regarding the first three of these concerns, the practitioners of PEG Access and the Alliance for Community Media have been actively engaged as sources of alternative solutions and antidotes to their negative societal impacts.

In the case of media ownership consolidation, PEG Access was a result of the need that developed beginning in the 1960s to restore local voices to an increasingly inaccessible and consolidated broadcast television medium. Since then, local community programming has continued to fill that need.

“Citizen journalism” is a relatively new phrase to describe a form of local reportage by non-traditional means by non-professionals that has gained momentum among

academics, public media and supporting foundations seeking to find solutions to counter the decline of print and broadcast journalism. What has been generally unreported about this phenomenon is that PEG Access centers—both their staff and their volunteer producers—have been engaged in what is essentially citizen journalism for over thirty years, and that scores of PEG Access community media centers have been receiving and/or re-allocating funding, conducting training and modifying their websites to meet the growing need and hunger for local reportage.⁵ The Alliance, as part of its annual national conference in July, 2010, is conducting a day-long pre-conference workshop on Citizen Journalism, as well as dedicating an entire conference track of five workshops to Citizen Journalism and Social Media. There will be an extensive number of examples and case studies at that time.⁶

Community Organizations Served by PEG

An important asset and metric of PEG Access and its impact is the number of community organizations served each year. Organizations may include non-profit corporations; municipal departments, agencies and committees; churches, libraries, schools and so on. Service to these organizations can consist of training, channel time, bulletin board announcements, production assistance and a myriad of other specialized cooperative partnerships.

⁵ One example is Berks Community Television, a non-profit Public Access provider since 1972 in Reading, PA, which received a grant from the Knight Foundation to enhance and expand its local news capacity among its staff, volunteers and website, BCTV.org.

⁶ The 2010 Alliance conference brochure has been submitted in support of these comments.

The following chart is a sample of 24 PEG Access centers surveyed by the Alliance in 2007. An attempt was made to create a cross-section of providers from small, medium and large service areas.

State	PEG Access Provider	Area Served	# Orgs Served
AZ	Access Tucson	Tucson	748
CA	Community Media of Santa Rosa	Santa Rosa County	195
CA	Davis Community Media	Davis	239
CO	Durango Community Access Television	Durango	30
FL	Tampa Bay Community Network	Tampa	970
IL	Evanston Community Media Center	Evanston	61
MA	Bedford Television	Bedford	51
MA	Boston Neighborhood Network	Boston	779
MA	Carver Community Access Television	Carver	53
MD	Access Montgomery	Montgomery County	98
ME	Portland Community Television	Portland	48
ME	South Portland Community Television	South Portland	158
MI	Hartland Community Access Television	Hartland	150
MN	North Suburban Access Corp.	Roseville area	98
NJ	Piscataway Community Television	Piscataway	111
NJ	South Brunswick Television	South Brunswick	75
NY	Access Channel 5	Maysville	206
NY	Queens Public Television	Queens	164
OH	Miami Valley Cable Council	Centerville area	188
OR	Capitol Community Television	Salem	205
OR	McMinnville Community Media	McMinnville	147
TN	Knoxville Community Television	Knoxville	317
WA	Seattle Community Access Network	Seattle	207
WA	Thurston Community Television	Olympia	220
Total			5,518

**Number of Organizations Served, by PEG Access Providers
(Representative sampling, Alliance, 2007)**

Assuming a conservative number of 150 organizations served per year by all but the smallest 500 of the 3,000 estimated PEG Access centers, we calculate that at least 375,000 organizations use PEG services each year across the United States.

Hours of Local Original Programming

Because numbers of Organizations Served is directly dependent upon the number of PEG Access providers, and there are many States where PEG Access has not developed over the years and other States that have suffered closures (such as California, which saw the closure of 45 PEG Access operations over the past two years), a better measure of PEG Access activity is to look at how much local, original programming is being generated at the access center by volunteers and staff.

Using information gathered from the Alliance's searchable online Community Media Resource Directory, 43 PEG Access providers for which reliable and verifiable data had been obtained in 2007 for numbers of hours of original, locally-produced programs are shown in the next chart. These 43 represent a typical cross-section of rural, suburban and urban areas, various management types, and centers that manage one, two, three or more PEG Access channels.

This sampling shows that each year an average PEG Access provider ran 1,867 hours of first-run local programming on its PEG channel(s) per year, or 35 hours a week—an impressive number that clearly reflects the lively amount of community involvement and valuable service provided. For many rural locales and suburban and exurban areas that are in the 'shadow' of larger metro areas where commercial and public broadcasters have little time and incentive to cover local events, meetings and school activities, PEG Access entities are the only local electronic media. Even in areas served by a commercial or public broadcast station, 35 hours/week of original local programming is quite rare.

ST	CITY	PEG Access Provider	Hours
AR	Fayetteville	Community Access Television, Inc.	432
AZ	Glendale	KGLN - City of Glendale Cable	1,200
AZ	Tucson	City of Tucson, The City Channel	493
CA	Palo Alto	Midpeninsula Community Media Center	835
GA	Athens	Athens-Clarke County Unified Gov	208
IA	Iowa City	Cable TV Division, City of Iowa City	3,228
ID	Pocatello	Pocatello Vision 12	1,619
IL	Champaign	Champaign Governement Access	236
IL	Chicago	Chicago Access Network Television	24,432
IL	Elk Grove Vill.	EGTV Channel 6	156
IN	Carmel	City of Carmel Channel 16	572
IN	Fort Wayne	Access Fort Wayne	3,317
KS	Salina	Community Access TV of Salina	610
KY	Louisville	Louisville MetroTV	428
MA	Concord	CCTV	2,444
MA	Dracut	Dracut Access Television	216
MA	Framingham	FPAC-TV	420
MA	Hopkinton	HCAM	1,820
MD	Bowie	City of Bowie Cable Studio	348
MD	Rockville	County Cable Montgomery	480
MI	Battle Creek	AccessVision	1,405
MI	Bloomfield Hills	Bloomfield Hills Schools-BHS-TV	3,825
MI	Lathrup Village	Lathrup Village Tel, Village Cable 17	183
NC	Charlotte	Access 21	3,796
NC	Greensboro	Greensboro Community Television	3,120
NH	Plymouth	Pemi-Baker Community Access Media	188
NY	Lockport	Lockport Community Television	1,560
NY	White Plains	White Plains Cable TV Access Comm.	2,444
OH	Brunswick	Brunswick Area Television	884
OH	Dayton	Dayton Access Television	546
OH	Fairborn	City of Fairborn	520
OH	Forest Park	Waycross Community Media	1,823
OH	Hudson	Hudson Cable Television, City of Hudson	1,404
OH	Wadsworth	WCTV - Wadsworth Community TV	1,635
PA	Ardmore	Lower Merian Township Television	390
PA	Erie	Community Access Television	1,852
PA	State College	C-NET	1,062
PA	York	White Rose Community Television	5,200
TX	Fort Worth	City of Fort Worth Community Cable TV	3,442
VA	Alexandria	ACPS-TV	572
WA	Enumclaw	Enumclaw City Television	300
WI	Madison	Madison City Channel	480
WI	West Bend	West Bend Community Cable TV	153
Total:			80,277

**Annual Hours, Original Local Programs, 43 PEG Access Providers
(Alliance, CMRD 2007)**

Because of the variables in the number of PEG channels operated, it is difficult to extrapolate for the country. It can be safely estimated, however, that PEG Access providers generate over 20 hours/week of local original programming, totaling over 2.5 million hours a year.

Value to the Community

Some of the inherent strengths and assets of PEG Access are discussed above; however, in addition, there are several other specific types of programs and services that have been most commonly mentioned during our research among PEG Access providers in those states where the greatest harm has been experienced. In no particular order, they are:

- Public safety: health and human services, police & fire protection
- Government/Civic meetings: live & recorded for later viewing
- Close ties with educational institutions
- Multi-lingual/ethnic/minority involvement & programs
- Local news reportage/community bulletin board/etc
- School/youth programs: curricular/extra-curricular/summer programs
- Skills/jobs training
- Broadband adoption: streaming of channel content, live and on-demand/computer lab access & training

Each one of these bullet points is represented by scores of examples, many documented in PEG Access providers' annual reports, many others reported by local media, and yet even others that don't make the news but have nonetheless been sustained over many years as PEG Access center anchor institutions.

How highly PEG Access is valued to their communities has been well-documented in many surveys, as discussed above. But some PEG Access providers have found it helpful to quantify their free and low-cost services to their communities in terms of dollar equivalency. Catamount Access Television in Bennington, Vermont each year for its annual report places fair market values on its training, use of production and editing equipment, time on its channels for programs and community bulletin board, staff productions and volunteer hours contributed. For 2009, CAT-TV calculated that the organization multiplied its combined operating and capital expenditure of \$300,000 over 14-fold to a dollar equivalent of \$4.25 million of services to its community.

Cambridge (MA) Community Television reported in 2008 that based on commercial rental value, almost a half million dollars worth of its production equipment was lent, free of charge, to community members, which averages to about \$2,500 per community production. Like most other PEG Access providers, CCTV serves low income individuals and community service organizations for whom the creation of quality television programming suitable for cablecast and Internet streaming would otherwise be out of the question.

E. Harmful Vectors and Impacts. When adequately funded and when allowed to serve unhindered by the fears or whims of local officials, PEG Access' facilities are consistently sought out by community residents, nonprofit organizations, schools and governments. Volunteers and staff produce almost 2.5 million original hours of local

programming a year. The longevity and successes of the hundreds of access centers that have been sustained by their communities for over 25 years are a testimony to the fact that the PEG Access model works, has value to the communities it serves, and should not and cannot be allowed to wither solely due to the numerous vectors, both internal and external, that conspire to harm their effectiveness.

As early as five years ago, the Alliance was making its membership aware of a number of external threats that were approaching to affect PEG Access providers. Since then, there have been many more added to the list. For purposes of framing the scope of the harm that has befallen many access centers and surveying our membership, the Alliance created the following set of causes and effects. This chart indicates the percentage of the PEG Access and community media centers that have reported or we have been able to identify. Most reported more than one harm or cause of harm:

Type of Harm or Cause of Harm	Alliance April-May, 2010 Telephone Study n=368	Alliance May, 2010 Online Survey n=89
Cable operator reduced operating funding	58	13
Municipality reduced operating funding	63	41
Capital dollars were reduced	30	34
PEG channels "slammed into digital stratosphere"	37	19
ATT's discriminatory Ch99 was introduced	14	23
"Public" access was specifically targeted	23	21
State Franchising inflicted harm	31	34
Fees to access the Internet were increased	8	20
The entire PEG Access operation completely closed	40	4

Certain types of harms generally predominate depending on the State. The high number of Public Access closures in California was a direct result of the 2006 DIVCA state franchising law whose effects were delivered almost overnight by the cable industry there

in 2008. Among the 36 PEG providers we identified in Wisconsin, 21 of them reported one or more of their channels being “slammed” from a lower channel designation to a channel well away from other local broadcast and other basic tier services. A full 25% of the 47 New York State PEG Access providers we identified reported a significant reduction of operating funds by the cable operator, and most of those providers said that it was Public Access that was specifically targeted. Other harms, such as the infamous U-Verse Channel 99 debacle is found, of course, wherever AT&T has introduced its digital cable delivery system.

Our research has just scratched the surface of instances of verifiable and documented harms that have been inflicted upon PEG Access centers; however, the high percentage of difficulties among those providers we have been able to poll hints at the extent of the problem. It has been particularly difficult to identify all those operations that have been shuttered, except for in California where the closures were so dramatic and well-publicized. Many have been slowly bled of their funding through an extended series of cuts over the past few years and finally succumbed without barely any media coverage. We do sometimes get reports along the way:

Although our municipality continues to experience growth with the amount of franchise fee collected, our PEG Access station's budget continues to erode. This year we are operating on 32% of the franchise fee collected and next year it might be as low as 29%. It's a struggle to educate the City on the benefits of PEG Access.

-Concord (NH) Community TV, May, 2010

III. THE COMMISSION'S QUESTIONS

The Commission has asked two questions that are of most interest to the Alliance, particularly #27, which specifically focuses on PEG Access channels. Question #28 (how DBS might be improved) does not directly mention PEG Access; however, this question is nonetheless important to us, to the extent that our public policy platform position that there be guaranteed diverse non-commercial local programming opportunities on all public airwaves and communication facilities that occupy public rights-of-way.

The Alliance is optimistic and hopeful that this Future of Media inquiry results in a renewed discovery and appreciation of the strengths, assets and potential of the PEG Access model. The FCC is taking a unique approach of examining all facets of the media environment and openly considering and encouraging new alliances and partnerships. The Alliance also hopes that the FCC will be able to leverage the extant concern for the public's access to community media—a concern that continues to grow among advocates and practitioners of non-commercial media—so as to provide PEG channels a reasonable and equitable space among the predominant commercial broadcast media.

The Alliance also hopes that the Commission strongly considers these comments, and the comments of many others in this inquiry that emphasize the legacy core values and proven on-the-ground methods implemented every day by the thousands of local residents, community organizations and PEG Access staff. Their efforts deliver on PEG's promise to contribute to improving the quality of life at the town and

neighborhood level. When provided a sustaining environment, as PEG Access has in hundreds of locales, the access center becomes an important anchor institution, being sought by local residents as a source of local information and as a welcoming gateway to tools and distribution pathways for reaching fellow residents with their messages.

We also hope that the Commission will recognize that when centers of community media, by means of adequate funding or by the sheer brute force of volunteer efforts, have successfully integrated the newest digital technologies into their operations, it is because they have retained their core mission and outcomes-based program activities. New technologies were adopted if and when they are appropriate to addressing a problem or need in the community, identified at the local level, by local staff, by volunteers, by local organizations and, occasionally, by a board of directors.

FCC's Question #27.

With regard to cable television, local franchising authorities can require a cable operator to provide channel capacity for Public, Education and Government (PEG) channels and some facilities and funding for such channels.

-Are these channels being used as effectively as possible for the provision of useful news and information to communities?

-How has the role of PEG channels changed over time, and how could their effectiveness be improved?

-Does statewide franchising change the number and composition of PEG channels? Does it serve to promote the intended benefits from PEG channels or undermine them?

-Are there other ways to provide for the benefits from PEG channels in the digital age?

-How should operators of PEG channels work with noncommercial television and radio licensees, as well as with other non-profit media entities?

Some of the questions posed in this section have been discussed above; however, the additional issues raised, particularly those that question how PEG Access has been impacted by new technologies and how it might adapt and partner with other non-profit entities, opens the opportunity for the Alliance to describe its vision of the future of our medium, as well as what we hope the future of media will eventually become.

It should be pointed out, however, that we respectfully disagree what appears to be an underlying premise of one of the questions; i.e., “*Are there other ways to provide for the benefits from PEG channels in the digital age?*” The question seems to imply that it is inevitable that PEG Access channels will disappear and be replaced by some other form of distribution. It is not the channels *themselves* that need the most protection, but the extraordinary network of people and the tools, methods, physical infrastructure and local communication that the PEG Access model has perfected over the last 30 years. Many have taken the position that there is a technological substitute for these assets—namely “the Internet” and video-related applications it carries—but that is a flawed premise.

As funding for PEG Access has become more difficult to obtain over the years, and as automated systems have been developed to speed up and simplify the management of people’s activities, equipment, program scheduling and playback in the field of PEG

Access, pressure has mounted to use more capital monies to be able to maintain a proper level of staff support to cover the essentials of working with the public at an access center. We see the shift to some level of automation as necessary and, as a matter of fact, we welcome it, because it is a legitimate way to take advantage of efficiencies that then allow us to focus on our real mission: the enabling of local, diverse, open and lively *community communication*.

The other side of this equation is distribution, and, of course, it is here where the Internet, separate and distinct from the digital administrative and production technologies, shines. But here too, the Internet has its limitations and it is not a sole solution or substitute for the type of local community communication that the PEG Access model delivers. PEG Access providers—and even providers of local community media who distance themselves from the PEG Access label—have been using the Internet and its related delivery applications for years, and they continue to explore at the “bleeding edge” of the newest developments, as far as their resources will allow. This is one of the major reasons why, in 1992, the National Federation of Local Cable Programmers changed its name to the Alliance for Community Media—to reflect the anticipated direction that technology was heading.

A treatise comparing patterns of use of the Internet and those of cable television is well beyond the scope of these comments; however, there is a substantial amount of writing in the field to indicate that however the television signal is delivered—by hybrid coax, fiber, over-the-air or satellite—the television viewing paradigm driven by the general

population will likely remain very similar to its present form for some time to come. Again, this is a *delivery technology* issue that must be solved in the legislative and regulatory arena so that the basic fundamental rights and ability of the general public to access local channels of video can be maintained. Providing everyone with a Flip[®] camera and a wire to upload video to a site on the Internet is not, by itself, going to encourage civic engagement, citizen journalism and all the quality of life improvements that are catalyzed through local community interactive communication. A supportive and protective regulatory environment will be necessary to sustain the human parts of the PEG Access model that no amount of equipment and automation could ever replace.

PEG Access use of the Internet.

There are three examples of the way PEG Access has used new digital technology to make its programming more accessible. They are found in Vermont, New Jersey and California. The first is an example of one of several regional networks in existence around the country, whose development was driven by the needs of PEG Access providers to distribute and share programming between them. Vermont Media Exchange (VMX) is soon to complete its deployment of an MPEG-2/MPEG-4 unicast file-sharing capability to all 25 Vermont access centers. Equipment was purchased by the Vermont Access Network (VAN), presented to each access center with a day or two of training in its use. VMX has been successfully used over the past year for live statewide transmissions and file sharing.

The second example is the national Community Media Distribution Network (CMDN). Developed by an Alliance technical workgroup headed by board member Rich Desimone, CMDN was the result of the workgroup's efforts to successfully coordinate several manufacturers of digital file-server equipment most commonly used by PEG Access providers to agree upon a set of meta-data and other file configurations (based upon standards used by the Public Broadcasting System). With these standards in place, an introductory website (www.CMDN.tv) available, and a soon-to-be-launched server hub (acm.telvue.com), these manufacturers are beginning to publicize that their equipment is, or will be very soon, Alliance (ACM) standards-compliant and any registered PEG Access provider will be able to upload or download programming for national distribution.

The third example is more PEG Access provider-centric. Access Sacramento is about to launch its AccessLocal.TV, an open access online community of journalists, writers, producers, filmmakers, photographers, digital artists, and informed citizens. It will soon be the main on-demand video portal for viewing select content from Access Sacramento. It will allow members to upload video or other content to its servers, and also remotely schedule video programs to its cable channel lineup. This highly-interactive capability bridges PEG Access programming with video in the home (and eventually video from hand-held devices) and posting content for on-demand Public Access cable channel and/or online viewing.⁷

⁷ The service will be unveiled at the Alliance's July 2010 annual conference in Pittsburgh.

IV. THE FUTURE OF MEDIA

In summary, the Alliance can envision a bright future of media with these components, which reflect our public policy platform. The future we see is one where:

- The FCC will re-word its mission (and the Media Bureau will integrate this intent into its mission) to include the necessity for diversity, localism and reasonable access to the general public on all forms of commercial video delivery systems that use the public rights-of-way or the electromagnetic spectrum.
- At least five percent of the public airwaves and capacity on communication facilities that occupy public rights-of-way will be set aside by federal law for local programming for the purpose of providing free speech, diverse points of view, local programs, community-based education and political speech.
- Funding will be required by federal law, in addition to the franchise fee and to support the PEG Access model, of at least 3% of gross revenues from all infrastructure and service providers and spectrum licensees to support equipment, facilities, training and services at PEG/Community Media Centers in order that community members can improve their media literacy skills and represent themselves by means of access to content creation tools, training to use the tools, and mechanisms for content distribution.
- A financial and policy firewall will be created that separates municipally-managed Government Access operations from publicly-managed Public Access operations in places where they co-exist so as to minimize undue political influence over First Amendment rights granted to Public Access speakers.
- Video franchise holders will be required by federal law to provide PEG channels at equivalent signal quality and functionality to that provided to local broadcast channels, with the capability of supporting closed captioning, SAP audio, channel

surfing, DVR recording, high definition and other functions available for broadcast channels. Additionally, there will be no prohibition of distributing PEG Access programming over the Internet as supplemental to its carriage on its funding video franchise holder.

- By federal law, PEG channels will be required to be located on the lowest cost, most accessible tier of service adjacent to “must-carry” broadcast channels, without the need of additional equipment. The PEG programming and channel information must be treated the same as broadcast television.
- The basic service tier will be legally defined as an obligation of every video provider utilizing public property for the delivery of its services, rather than limited to rate regulated communities.
- Federal law will be changed to protect the principle of local control; that is, that the local community which owns the public right-of-way has the right to manage and determine the best use of the community’s property.
- There will be strong compliance language in place in the federal law, including meaningful monetary penalties, which enforce violations of the above PEG Access requirements.

The Alliance can also envision the following scenarios as possible in a future media ecosystem:

- There will be a win-win partnership between public media and PEG Access providers that has enhanced the ability of a local public broadcast station to better serve smaller segments of its community with compelling, well-produced locally-

relevant programming, and at the same time has provided over-the-air digital broadcast channel space to the several local PEG Access providers within its DTV signal coverage area.

- There will be a win-win partnership between local commercial broadcast and PEG Access providers that has enhanced the ability of a local broadcast television station to better serve smaller segments of its community with compelling, well-produced locally-relevant programming, and at the same time has provided over-the-air digital broadcast channel space to the local PEG Access providers within its DTV broadcast signal coverage area.
- There will be local PEG Access programming beamed down from direct broadcast satellites on channels adjacent to the local commercial and public broadcast stations.
- Every community in the United States—including the smallest legacy cable television systems and rural areas that can only be served by satellite—will have a PEG Access model operating, with each video provider providing bandwidth and funding. Numbers of organizations served, hours of local original programming produced and all other metrics will have increased 100-fold over 2010 figures.

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