

TO WHOM IT MAY CONCERN:

I would like to go on record supporting The Alliance for Community Media, et al, in regards to MB Docket No. 09-13, regarding a declaration for a petition ruling that AT&Ts method of delivering PEG channels over U-Verse System is contrary to the Communications Act of 1934, as amended, and applicable Commission Rules.

1. The Cable Communications Act of 1984 specifically allows franchising authorities to require cable operators to set aside channel capacity, and a vehicle for funding the operation of those channels.
2. I believe all land based video or television delivery system should be subject to the same FCC rulings. No one should be exempt.
3. It has been determined by the Illinois Chapter of NATOA that PEG can be delivered over the AT&T U-Verse system at the same quality as the commercial Broadcast channels.
4. AT&T has stated on page 10 of their petition that it is not possible to insert PEG into their basic line-up. I don't believe this is true. I believe that their reason is more clearly stated on page 28, which goes into great detail on why they don't believe they should have to provide PEG channels, because they would have to give up a large number of the it commercial channels. It is the same logic which has been expressed by cable operators, yet cable operators have been obliged to follow the rulings, and place PEG on their basic channel line-up. It is "all about the money". AT&T has essentially ignored the ruling requiring cable operators to place PEG in the basic line-up and of broadcast quality, and said they are not a cable company. This is rather ironic, since they are reportedly competing with cable companies. In fact, they state in their petition that there is virtually no competition in most of the land based market.
5. AT&Ts PEG delivery is inferior. They have recently "upgraded" from 320x240 to 480x480 resolution. This is far below the NTSC industry standard of 720x480, which they provide for mainline broadcast.
6. Most PEG stations would have to 'downgrade' their signal from 720x480 to 480x480 to be seen on AT&Ts PEG on demand.
7. AT&Ts PEG on demand would introduce some latency issues which would render 'live' call-in shows impossible to do. As an engineer, I have engineered point-to-point IP video streaming broadcasts, and have encountered this latency on one occasion when the audio feed was dropped and we tried to hook up a telephone audio feed to accompany the live video feed. In that case, there was a 25-35 second 'latency' or lag in the signal.
8. Live call-in shows are some of the shows that provide what PEG is unique in: the ability to provide in-depth interaction between viewers and hosts or political candidates. You can get that kind of

interaction only on PEG. It isn't available in any other media at that quality or ease of access. The aforementioned latency would render live shows impossible.

9. One of the stated arguments for PEG is that is an effective vehicle for local residents to become involved and informed. For democracy to run effectively, you must have an educated and informed populace. PEG is an effective and efficient vehicle to accomplish this, and has been recognized by the Congressional Research Service as such.

10. In Idaho we have fought statewide franchising for 3 years. One of our chief objections has been the potential placing of PEG on a tier of service not accessible to the most basic users. For 3 years Qwest and various video service providers have been actively trying to push this legislation through. This year alone, there were 4 (FOUR) attempts at the same legislation in approximately 2 ½ months.

11. Statewide video franchising has hurt many PEG stations.

12. I would like to respectfully request that the FCC make a ruling in favor of MB Docket number 09-13

13. I would further like the FCC to clarify that as technology changes, providers be obligated by local franchise to maintain PEG in its position in the most basic tier of service on any platform, be it analog or digital.

14. I would also like the FCC to rule that, since digital land-based delivery platforms are competing head-to-head with cable systems, that all land-based video delivery systems are required to be "responsive to the needs and interests of the local community" (47 USC, section 521(2)), and that the ultimate authority for the franchise rests with the local municipality or franchising authority, and that if a statewide franchising system is implemented, local franchise negotiations still be deemed a necessary part of 'meeting the local needs and interests'.

15. Finally, since PEG requirements and implementation vary from community to community, I would like to respectfully suggest that the financial aspect of negotiations for franchise agreements rest solely with the local municipalities.

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