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May 17, 2011

VIA ELECTRONIC FILING SYSTEM (ECFS)

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

**Re: Petition For Declaratory Ruling Regarding AT&T's U-verse PEG Product,
CSR-8126, MB Docket No. 09-13**

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, this *ex parte* notice is filed on behalf of the Alliance for Communications Democracy ("ACD") and the Alliance for Community Media ("ACM"). On May 17, 2011, the undersigned, counsel for the petitioners, met with Rosemary Harold, Legal Advisor, Media, to Commissioner Robert McDowell, to present a DVD video demonstration of the failure of AT&T to deliver basic functionality for PEG access channels on its U-verse system (<http://www.allcommunitymedia.org/uncategorized/video-atts-anti-public-peg-product/>), discuss the above-referenced petition, and the matters described in the attached handouts.

A copy of this letter and the handouts presented during the meeting are being filed via ECFS with your office. Please do not hesitate to contact me if you have any questions.

Sincerely,



James N. Horwood

Attachments

cc: Rosemary Harold

CAN TV works with area groups and organizations to advance economic development goals, improve credit management, educate people about personal financial issues, and help people connect with jobs, training and housing.

Groups involved to date in 2011 include:

- SCORE CHICAGO - offer counseling and mentoring, hands on assistance, and practical training for small business owners and entrepreneurs. Mark Goodman, Workshop Chair, said that since starting to use CAN TV, workshop revenue was up 80% over the same period in the previous year and client visits up over 30% due to an integrated digital marketing effort that starts with videos created at CAN TV. Says Goodman; "...the CAN TV staff has been very helpful in our use of the material in the Web 2.0 environment. As video becomes pervasive on the Internet, having a resource like CAN TV is essential."
- U.S. Small Business Administration (SBA) – informs viewers about government resources that are available to help people become a successful entrepreneur. SBA has been doing programming on CAN TV over the past five years, reaching a diverse audience of business owners and aspiring entrepreneurs in Chicago. They noted that people called and visited their downtown office seeking information as a result of watching the weekly series. SBA recently sent 14 people through an orientation session as the first step toward completing production training classes at CAN TV to expand their programming.
- Family Credit Management (FCM) – address credit, debt, budgeting, loans and other personal financial issues consumers face. Sarabeth McAuliffe of FCM said the show is "a great way for people to call in to get answers in a safe and anonymous way," and noted that after watching the show, people "feel motivated to get their credit and finances in line." One gentleman who called the program said he and his wife had bought their first home because he was able to learn about specific kinds of home loans on an earlier show.
- Cosmopolitan Chamber of Commerce- Hosts a weekly show entitled, "Business Building Business" featuring minority business owners who offer tips on how to make small businesses prosper, reach broader markets and quality suppliers, and build greater wealth.
- South Side Community Federal Credit Union - This popular live interactive call in financial education series, "Where Credit is Due," covers topics such as: How to Start a Business, Credit Basics & Restoration, Basic Money Management Budgeting, Long-Term Financial Wellness, and other topics.

2011 Groups, con't...

- Job Help Hotline - employment counselors take viewer calls and provide information about job training and placement. Host organizations include Greater West-Town Community Development Project and Illinois Department of Employment Security. In the past five years, Greater West Town Training Partnership received 622 calls as a result of once monthly participation on Job Help Hotline on CAN TV21. Bob Fittin of GWTP says, "We get at least 100 referrals a year from CAN TV...It's one of the top three referral mechanisms for GWTP training programs."
- Women Entrepreneurs International – offer viewers tips on starting a business on their program, "Minding Your Own Business."
- NAACP Westside Branch - takes calls from viewers and reports on housing inequality and discrimination taking place on Chicago's West Side, with a specific emphasis on foreclosures.
- People's Development Group - Representatives take viewers calls and discuss sustainable housing options for low and moderate-income families.
- Consume and Save – representatives provide financial information on achieving financial freedom.



Cable

Subscriber

Study

October 2010



Cable Subscriber Study

October 2010 - Chicago, Illinois

Purpose:

- This research is part of Chicago Access Corporation's (CAN TV's) 2010-11 community needs assessment as part of the cable franchising process in Chicago.

Methodology:

- Sample size or n=400
- Interviews conducted September 23 - October 2, 2010 by telephone with randomly selected cable subscribers in the City of Chicago.
- The margin of sampling error is approximately 4.9% at the 95% level of confidence.
- Sample demographics: 50% male and 50% female, 35% Anglo, 34% African American, 19% Hispanic and 12% other.

This report is compiled from a survey conducted by Group W Communications, LLC, a survey research and communications company, in consultation with The Buske Group.



SUMMARY OF MAJOR FINDINGS

2010 Cable Subscriber Study

- CAN TV is watched by one in two cable viewers in Chicago.
- 74% of Chicagoans see CAN TV as valuable to the community.
- 64% of Chicagoans see CAN TV as valuable to them personally.
- Two-thirds of cable subscribers think it is “Very Important” that local community issues be available via local television channels.
- Close to 80% of cable subscribers say it is important that Chicago residents have access to a local facility where they can get low-cost video training, equipment and assistance producing programs.
- 74% of Chicagoans say its important to them and the community that Chicago residents and groups can use CAN TV to:
 - Assist people who need jobs and training
 - Speak directly with health care experts and government officials
 - Discuss issues that affect the local community
 - Create programs without interference from government or commercial interests.
- Cable subscribers say that at least \$4 of their monthly cable bill should be applied to local programming, while less than \$2 should pay for commercial channels like ESPN or Fox News.
- Over 85% of cable subscribers rate as important that community channels have the same technical advancements as commercial channels and be easy to find and use.

How valuable is CAN TV . . .

To the Community:

Very Valuable	41%	>74%
Somewhat Valuable	33%	
Not Very Valuable	7%	
Not Valuable at all	5%	

To you personally:

Very Valuable	27%	>64%
Somewhat Valuable	37%	
Not Very Valuable	11%	
Not Valuable at all	12%	

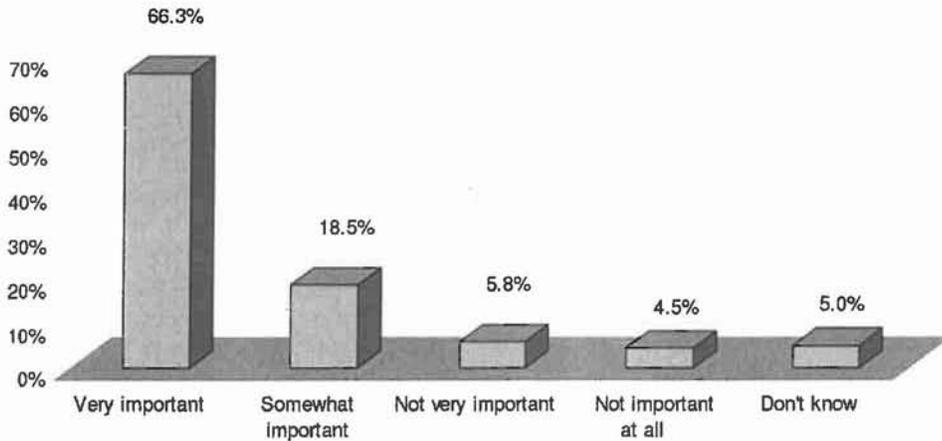
Cable Subscribers Weigh in on Key Community Services

<i>How important is it to you and your community that Chicago residents and organizations can use CAN TV to...</i>	CAN TV Importance	Commercial TV Performance
<i>How good a job do you feel that commercial television does at providing the following services...</i>		
Provide assistance to people in need of jobs and training	83%	25%
Speak and give access to health care experts	79%	26%
Provide math and reading programs to help children improve skills	79%	18%
Question government officials about local issues	77%	22%
Discuss issues that affect the local community	75%	28%
Create or present programs without interference from government or commercial interests	74%	19%
Inform people about educational opportunities	73%	27%
See local events like town hall meetings and public forums	71%	29%
Discuss or include diverse viewpoints and opinions	70%	29%

CAN TV Importance = % of 400 cable subscribers who give a rating of "4" or "5" on a scale of 5 (Very Important) to 1 (Not important at all.)
 Commercial TV performance = % of 400 cable subscribers who give a rating of "4" or "5" on a scale of 5 (Very Important) to 1 (Not important at all.)

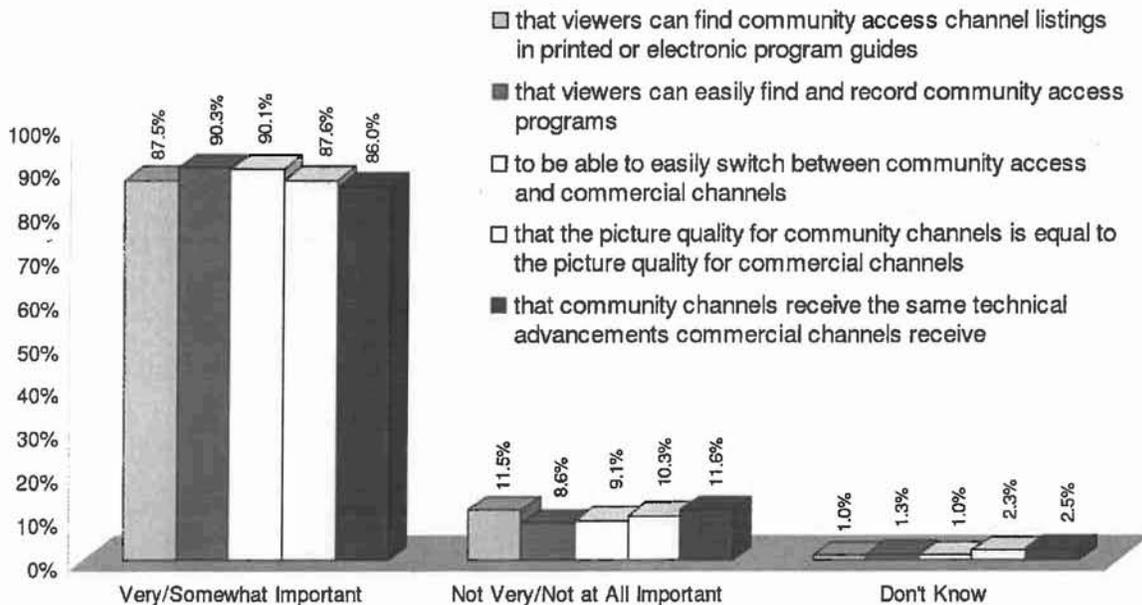
Importance of Local Programming

How important is it that local community issues, information and activities be available via local television channels?



- Nearly 85% of cable subscribers think it is "Very Important" (66%) or "Somewhat Important" (18.5%) that local community issues be available via local television channels.

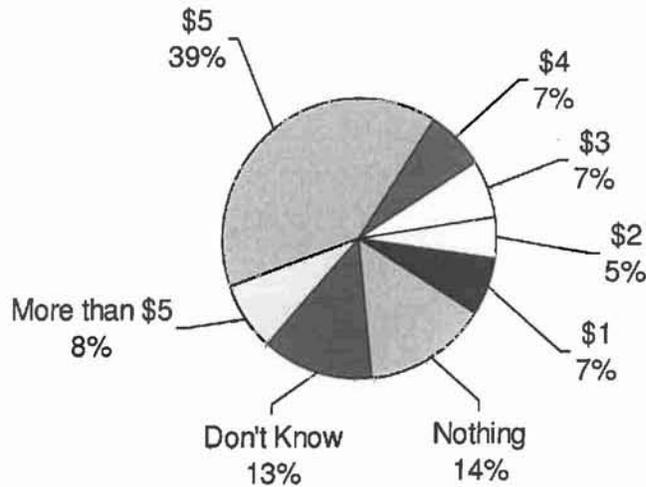
Subscribers rate as important:



(combined Very, Somewhat Important % + combined Not Very, Not at All Important %)

Financial Value of Local Programming

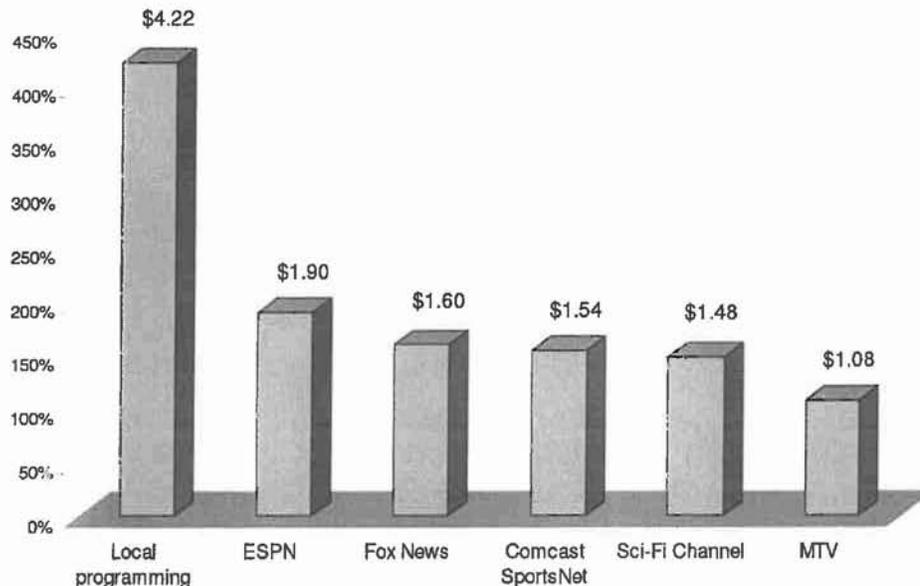
How much of your monthly cable bill should be used to create local community programs on education, healthcare, jobs & training, arts & culture, and housing & financial assistance?



- Over half of all cable subscribers felt \$4 or more should be set aside
- The average or mean of all responses is \$4.22

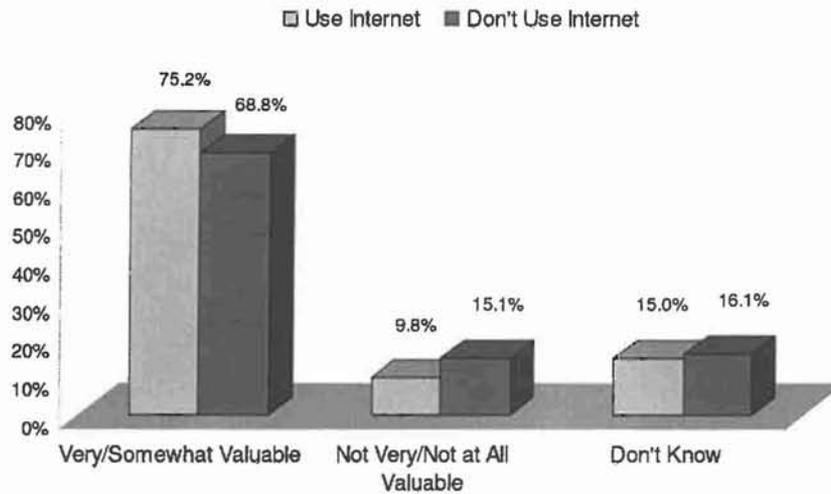
Financial Value of Local & Commercial Programming - Compared

The average amount subscribers responded should be applied from their monthly cable bill to create local community programming or to pay for each of 5 commercial channels.



Value of CAN TV to Internet Users

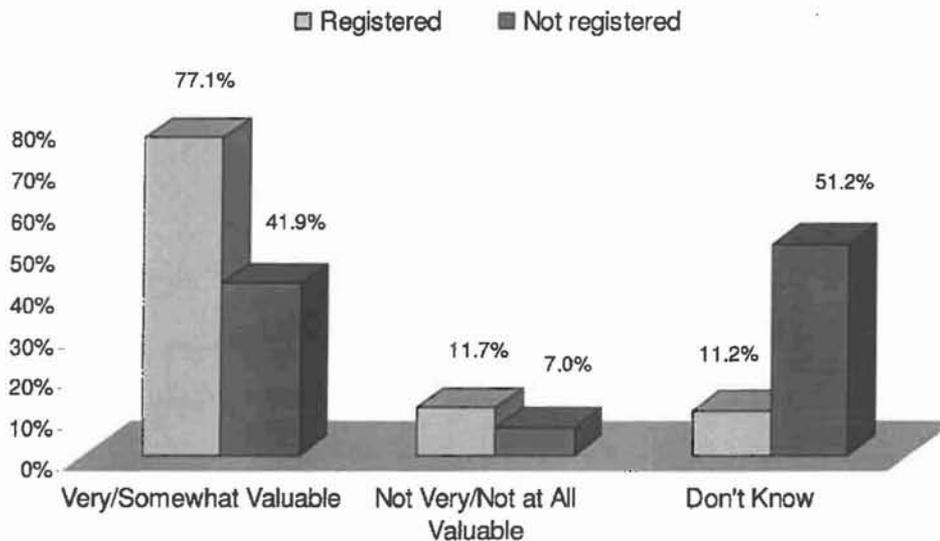
CAN TV Value to community X Internet Access from Home



- About 75% of cable subscribers who access the Internet think CAN TV is either somewhat or very valuable to the community.

Value of CAN TV to Voters

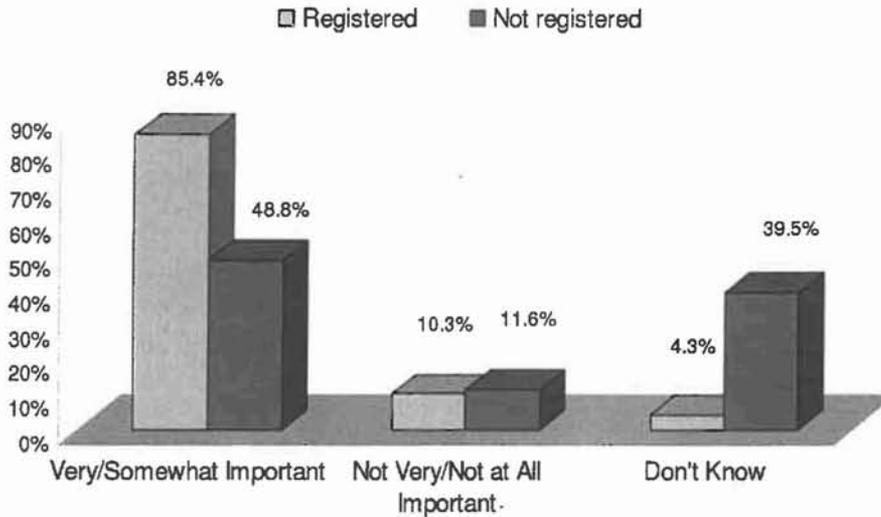
CAN TV Value to community X Voter Registration



- Over three-fourths of cable subscribers who are registered voters think CAN TV is very or somewhat valuable to the community

Importance of Local Facility

Importance of Local Facility X Voter Registration



- About 85% of cable subscribers who are registered voters feel it is either somewhat or very important that residents have access to a local facility for video training and equipment.

Survey Demographics

Age	Percent
Under 30	18%
30-44	25.3%
45-54	19%
55-64	11.5%
65 or older	22%
Refused	4.3%

Income	Percent
Under \$25,000	16.5%
\$25 - \$40,000	20.5%
\$40 - \$60,000	27.5%
\$60 - \$100,000	19.5%
More than \$100,000	16%

Gender	Percent
Male	49.8%
Female	50.3%

Ethnicity	Percent
Anglo	35%
Hispanic	18.8%
African American	33.5%
Native American	0.8%
Asian	3.5%
Other	2%
Refused	6.5%

**ANALYSIS OF RECENT PEG ACCESS CENTER CLOSURES,
FUNDING CUTBACKS AND RELATED THREATS**

PREPARED FOR ALLIANCE FOR COMMUNICATIONS DEMOCRACY

April 8, 2011

**WITH SUPPORT FROM
THE BENTON FOUNDATION**

ANALYSIS OF RECENT PEG ACCESS CENTER CLOSURES, FUNDING CUTBACKS AND RELATED THREATS

INTRODUCTION

The Alliance for Communications Democracy (ACD), through a grant provided by The Benton Foundation, worked with The Buske Group to conduct an online survey and related activities to identify:

1. The degree to which funding support for Public, Educational and Government (PEG) Access resources and services from cable companies and local governments has been reduced since 2005, and the reasons for these cutbacks.
2. Places where PEG Access Centers have closed since 2005, and the types of Access (i.e., public ["P"], educational ["E"], or government ["G"]) that are no longer provided in those communities.
3. Places where PEG Access Centers may have to close in the next three years, and the reasons for these anticipated closures.
4. Other anticipated threats to the health of PEG Access Centers.

This information was collected through a variety of methods, including:

- an on-line survey of members of the ACD, Alliance for Community Media (ACM), the National Association of Telecommunications Officers and Advisors (NATOA), and other PEG Access Centers to identify current and recent funding trends at existing PEG Access centers in the United States;
- follow-up contacts with survey respondents (and non-respondents) as needed, to help ensure accuracy and completion of the responses;
- direct contacts with community media regional leaders, to solicit their assistance in the identification of PEG Access Centers that have been closed recently; and
- a review of newspaper and online articles in recent years that discussed closures, funding cutbacks and threats to the future existence of PEG Access Centers.

Our research documents the fact that since 2005, many PEG Access Centers have been closed or endured severe funding cuts, or may be forced to cease operations soon. This has occurred primarily as a result of new state franchising laws and decisions by local governments.

This report provides details about the magnitude of recent PEG Access Center closures, funding cuts, and threats to the future existence of PEG Access in a growing number of communities.

KEY FINDINGS

- PEG Access Centers in at least 100 communities across the United States have been closed since 2005. A disproportionate number (93) exclusively served the public.
- Hundreds more PEG Access Centers in six states affected by state franchising laws may be forced to close or experience serious threats to financial and in-kind support over the next three years.
- Almost half of the 165 survey respondents providing financial information for 2005 and 2010 reported an average funding drop of 40% during that time period.
- Of the 100 survey respondents reporting in-kind support from their cable operators, 20% indicated in-kind materials and services had been cut back or eliminated since 2005.
- The primary reasons cited for reductions in funding and in-kind resources for PEG Access Centers were new state franchising laws and/or decisions by local governments.

ON-LINE SURVEY OF PEG ACCESS CENTERS

Using the "SurveyMonkey" on-line survey research software, a questionnaire was prepared and uploaded to collect information from Executive Directors or Managers of PEG Access Centers that oversee the development and presentation of programming PEG Access cable channels in the United States.¹ Announcements about this on-line survey were distributed via the ACD, ACM, and NATOA listserves, as well as through direct contacts with local PEG Access Centers. Participation in this survey was encouraged via several email "blasts" and other efforts during the period when the survey was active (January 10 through February 15, 2011.)

A total of 286 respondents participated in the on-line survey.

Of the 286 respondents, 207 provided partial financial data and information about recent cutbacks and/or anticipated threats to their organization's funding, in-kind resources, and/or channels in the next three years. Of those 207, 165 provided complete answers to questions regarding PEG Access funding support received in 2005 and 2010 from: (1) their local government [as an allocation from its general fund, and/or the franchise fees it received from the cable operator(s)], and (2) the cable operator(s) -- in addition to funds that were required to be paid as franchise fees.

Below is a breakdown of the types of Public, Educational and Government Access services provided by the 207 respondents on behalf of their organizations:

- 92** provide *Public, Educational and Government Access* services
- 5** provide *Public and Educational Access* services
- 22** provide *Public and Government Access* services
- 20** provide *Public Access* services only
- 15** provide *Educational and Government Access* services
- 19** provide *Educational Access* services only
- 34** provide *Government Access* services only

¹ The survey questionnaire is provided in Appendix 3.

The 207 organizations provide PEG Access services for communities that range from 1,000 to 3,000,000 residents. Fifty-one of them reported that they have a PEG Access full-time equivalent staff of one person or less; 24 reported 10 or more.

A funding analysis of the 165 respondents who provided complete financial information for 2005 and 2010 was conducted to determine the extent to which such funding had changed during this period.² Eighty of these 165 PEG Access service providers reported that the combined funding support they received from their local governments and cable operators decreased from 2005 to 2010 (*the average decrease was 39.7%*, equal to an annual reduction of about \$205,000 per year, from an overall average of \$515,937 in 2005 to \$311,160 in 2010 -- see Appendix 1 for details).

REDUCTIONS IN IN-KIND SUPPORT

Survey respondents were asked if their organization received any in-kind services or materials from their cable operator(s), free of charge, for PEG Access purposes during the past five years. Respondents were also asked to describe any changes in the provision of such services and materials to their organizations since 2005. Over 100 respondents indicated that they had received in-kind services and materials from their cable operators, but about 20% of them stated that in-kind resources, including the types of materials and services listed below, had been discontinued or cut back since 2005:

- Studio/production facilities and equipment
- Transmission connections between PEG Access facilities and the cable operator
- Technical support
- Free cable service drops to PEG Access facilities and public buildings
- Promotional support for PEG Access (e.g., program listings, advertising, bill inserts)
- Institutional Network facilities and related services
- Channel relocation services

² To ensure that this analysis was conducted in an equitable manner, the funding amounts reported by these 165 PEG Access Centers for 2005 were converted to 2010 dollars, by adjusting them in accordance with the 2.2% annualized inflation rate from 2005-2010 as determined by the US Bureau of Labor Statistics.

Survey respondents were asked to indicate the reasons for the reported reductions in funding or in-kind services and materials to their organizations from the local government or cable operator since 2005. The primary reasons cited by the respondents for these reductions were: (1) the local franchising government made a decision to cut/divert PEG Access funding; (2) state franchising laws resulted in reductions; and (3) recent local cable franchise renewals resulted in reductions in funding and/or support of PEG Access.

THREATS IN THE NEXT THREE YEARS

Respondents from 159 communities indicated that their organization anticipates reductions or elimination of PEG Access funding, in-kind services and materials, and/or channels during the next three years, for the following primary reasons (*NOTE: these respondents were permitted to indicate more than one reason*):

Decisions by the local government (57%)

State franchising law provisions (49%)

Local cable franchise renewal (28%)

PEG ACCESS CENTER CLOSURES & MAJOR FUNDING CUTBACKS SINCE 2005

After conducting a review of newspaper and on-line news reports, information posted on websites, emails posted to listserves of PEG Access organizations, and direct reports from community media leaders throughout the United States, we can confirm that PEG Access Centers which had previously served at least 100 communities have been closed since the onset of state cable franchising laws in 2005. (See a detailed list in Appendix 2.) These closures have disproportionately impacted Public Access Centers: 93 were Public Access closures, 1 was Public and Educational, 1 was Public and Government, and five were Public, Educational and Government.

Also according to newspaper and on-line reports, a number of Public Access Centers in large American cities -- including Denver, San Francisco, Tucson, Seattle, Tampa and Atlanta -- have been affected by severe funding cutbacks. Closures and funding cuts in major urban

centers can disproportionately affect minority communities relying on the alternative communications opportunities provided by Public Access Centers. In *The Future of Media* proceeding before the FCC, Laura R. Linder and Gary Kenton cite diversity as a “distinguishing principle of PEG Access,” noting among other findings that, “In Tampa Bay, Florida, 70% of content providers/community producers at Tampa Bay Community Network (TBCN) belong to minority groups and range in age from teenagers to seniors.”³

HIGHEST POTENTIAL FOR PEG ACCESS CENTER CLOSURES IN NEAR FUTURE

The 2008 state franchising law in Wisconsin stated that PEG Access funding and other support (if required by local cable franchises) would be discontinued in January, 2011. PEG Access funding-related provisions of state cable franchising laws in Ohio Florida and Georgia will take effect next year, which could have a devastating impact on hundreds of PEG Access Centers in those states. The laws in Ohio, Florida and Georgia require all cable service providers to match the PEG funding support amounts of the incumbent (per the terms of local franchises then in existence) -- until January 1, 2012 in Ohio and July 1, 2012 in Florida and Georgia. After that, the obligation is reduced to zero. State cable franchising laws in Iowa and Indiana also require matching PEG funding support by the cable service providers, but that obligation will end upon the natural expiration date of the existing local franchises.

Therefore, during the next 15 months, another wave of PEG Access Center closures could occur in Wisconsin, Ohio, Florida, Georgia, Iowa and Indiana as a result of major funding cuts due to state franchising laws. Unlike several other states that adopted state franchising laws, none of these states included provisions in their laws that permit communities to require PEG Access funding support from their cable service providers to supplement franchise fees. As a result, funding support that the PEG Access Centers in these states had previously received from their cable service providers would cease, putting them at a high risk of closure as a direct result of state franchising laws.

³ ACD filing - *Future of Media and Information Needs in a Digital Age* before the FCC, GN Docket No. 10-25.

CONCLUSION

When the Cable Act was adopted in 1984, the Committee on Energy and Commerce of the U.S. House of Representatives published a Report that included the Act's rationale for Public, Educational and Government Access channels. The language stressed the particular importance of Public Access and how these channels serve the "fundamental goal of the First Amendment":

One of the greatest challenges over the years in establishing communications policy has been assuring access to the electronic media by people other than the licensees or owners of those media. The development of cable television, with its abundance of channels, can provide the public and program providers the meaningful access that, up until now, has been difficult to obtain. A requirement of reasonable third-party access to cable systems will mean a wide diversity of information sources for the public -- the fundamental goal of the First Amendment -- without the need to regulate the content of programming provided over cable.

Almost all recent franchise agreements provide for access by local governments, schools, and non-profit and community groups over so-called "PEG" (public, educational, and governmental) channels. Public access channels are often the video equivalent of the speaker's soap box or the electronic parallel to the printed leaflet. They provide groups and individuals who generally have not had access to the electronic media with the opportunity to become sources of information in the electronic marketplace of ideas. PEG channels also contribute to an informed citizenry by bringing local schools into the home, and by showing the public local government at work.⁴

The findings of this report reveal that since 2005, many PEG Access Centers -- especially Public Access operations -- have closed or endured severe cuts to their funding and in-kind resources. Hundreds more face similar cutbacks or may be forced to cease operations in the near future. Study findings show that this has occurred primarily as a result of new state franchising laws and/or decisions by local governments. Dozens of Public Access Centers that once served residents and community organizations in 14 states have closed or may face closure in the next three years.

Without question, the Cable Act's goal of advancing the First Amendment through public participation in PEG Access is now in serious danger. Corrective regulatory and legislative actions are urgently needed to prevent further erosion of public participation in U.S. cable communications systems now and in the future.

⁴ House of Representatives Report 98-934 (August 1, 1984), Page 30

APPENDICES

APPENDIX 1

SURVEY RESPONDENTS REPORTING DECREASED FUNDING FROM 2005 TO 2010

ORGANIZATION	TYPE	2010 Funding from LFA plus Cable Company	2005* Funding from LFA plus Cable Company
Respondent 1	P, E & G	\$214,000	\$217,415
Respondent 2	P, E & G	\$30,000	\$33,448
Respondent 3	P, E & G	\$198,000	\$218,530
Respondent 4	P, E & G	\$0	\$88,806
Respondent 5	P, E & G	\$602,725	\$674,543
Respondent 6	P, E & G	\$94,000	\$137,139
Respondent 7	P, E & G	\$70,000	\$97,000
Respondent 8	P, E & G	\$134,001	\$167,823
Respondent 9	P, E & G	\$278,000	\$460,473
Respondent 10	P, E & G	\$0	\$390,232
Respondent 11	P, E & G	\$1,999,884	\$2,553,813
Respondent 12	P, E & G	\$750,000	\$752,590
Respondent 13	P, E & G	\$1,608,600	\$1,745,341
Respondent 14	P, E & G	\$260,000	\$278,737
Respondent 15	P, E & G	\$7,300	\$7,805
Respondent 16	P, E & G	\$583,530	\$650,572
Respondent 17	P, E & G	\$280,236	\$354,054
Respondent 18	P, E & G	\$416,384	\$841,867
Respondent 19	P, E & G	\$1,700,000	\$1,756,043
Respondent 20	P, E & G	\$165,000	\$262,013
Respondent 21	P, E & G	\$125,000	\$139,368
Respondent 22	P, E & G	\$35,000	\$39,023
Respondent 23	P, E & G	\$21,000	\$27,874
Respondent 24	P, E & G	\$270,000	\$301,036
Respondent 25	P, E & G	\$270,000	\$334,484
Respondent 26	P, E & G	\$440,267	\$445,787
Respondent 27	P, E & G	\$182,760	\$184,604
Respondent 28	P, E & G	\$185,000	\$333,815
Respondent 29	P, E & G	\$236,000	\$295,461
Respondent 30	P, E & G	\$40,000	\$89,196
Respondent 31	P, E & G	\$469,000	\$472,738
Respondent 32	P & E	\$100,000	\$111,495
Respondent 33	P & E	\$250,000	\$618,796
Respondent 34	P & E	\$741,600	\$842,900
Respondent 35	P & E	\$355,000	\$398,036
Respondent 36	P & G	\$7,500	\$8,362
Respondent 37	P & G	\$143,283	\$165,054
Respondent 38	P & G	\$660,000	\$1,103,798
Respondent 39	P & G	\$78,000	\$83,621
Respondent 40	P & G	\$16,000	\$30,683
Respondent 41	P & G	\$575,000	\$653,392
Respondent 42	P & G	\$355,527	\$370,363
Respondent 43	P & G	\$450,400	\$715,796
Respondent 44	P & G	\$334,908	\$339,273
Respondent 45	P & G	\$78,000	\$176,162

* Figures reported for 2005 are adjusted for inflation -- shown in 2010 dollars.

APPENDIX 1

SURVEY RESPONDENTS REPORTING DECREASED FUNDING FROM 2005 TO 2010

ORGANIZATION	TYPE	2010 Funding from LFA plus Cable Company	2005* Funding from LFA plus Cable Company
Respondent 46	P & G	\$107,000	\$139,368
Respondent 47	P & G	\$704,000	\$939,901
Respondent 48	P only	\$0	\$6,690
Respondent 49	P only	\$300,000	\$334,484
Respondent 50	P only	\$70,000	\$156,093
Respondent 51	P only	\$300,000	\$919,832
Respondent 52	P only	\$300,500	\$655,244
Respondent 53	P only	\$200,000	\$891,958
Respondent 54	P only	\$142,000	\$158,323
Respondent 55	P only	\$568,211	\$590,922
Respondent 56	E & G	\$296,000	\$946,591
Respondent 57	E & G	\$71,000	\$72,472
Respondent 58	E & G	\$18,000	\$20,069
Respondent 59	E & G	\$163,000	\$204,035
Respondent 60	E & G	\$109,000	\$131,564
Respondent 61	E & G	\$250,000	\$557,474
Respondent 62	E & G	\$36,000	\$123,759
Respondent 63	E only	\$20,000	\$22,299
Respondent 64	E only	\$210,000	\$362,358
Respondent 65	E only	\$3,500	\$7,805
Respondent 66	E only	\$144,000	\$904,764
Respondent 67	E only	\$5,000	\$5,575
Respondent 68	E only	\$0	\$185,081
Respondent 69	G only	\$10,000	\$11,149
Respondent 70	G only	\$300,000	\$6,020,717
Respondent 71	G only	\$514,000	\$613,221
Respondent 72	G only	\$213,548	\$238,095
Respondent 73	G only	\$281,300	\$406,510
Respondent 74	G only	\$143,010	\$151,923
Respondent 75	G only	\$25,000	\$26,759
Respondent 76	G only	\$1,930,000	\$3,344,843
Respondent 77	G only	\$485,000	\$501,726
Respondent 78	G only	\$1,146,318	\$1,188,484
Respondent 79	G only	\$10,000	\$458,243
Respondent 80	G only	\$6,500	\$7,247
AVERAGES:		\$311,160	\$515,937
AVERAGE \$ DECREASE FROM 2005 TO 2010:		\$204,777	
AVERAGE % DECREASE FROM 2005 TO 2010:		39.7%	

* Figures reported for 2005 are adjusted for inflation -- shown in 2010 dollars.

APPENDIX 2

PEG ACCESS CENTER CLOSURES SINCE 2005

TEXAS (state cable franchising law adopted in 2005)

Time Warner

Dallas [P]
San Antonio [P]

Cable One

Sherman [P]

CALIFORNIA (state cable franchising law adopted in 2006)

Charter

Glendale [P]
Long Beach [P]
Los Angeles [P]
Malibu [P]

Comcast

Alameda County [P]
Albany [P]
Ashland [P]
Castro Valley [P]
Cherryland [P]
Fremont [P]
El Cerrito [P]
Hayward [P]
Kensington [P]
Richmond [P]
San Leandro [P]
San Lorenzo [P]
San Pablo [P]
Newark [P]
Union City [P]

Time Warner

Avocado Heights [P]
Baldwin Park [P]
Bassett [P]
Buena Park [P]
Carlsbad [P]
Carson [P]
City of Industry [P]
Compton [P]
Costa Mesa [P]
El Segundo [P]
Fountain Valley [P]
Fullerton [P]
Garden Grove [P]
Gardena [P]
Hacienda Heights [P]
Hawthorne [P]
Huntington Beach [P]
Lawndale [P]
La Puente [P]
Los Alamitos [P]
Los Angeles [P]

Time Warner

North Whittier [P]
Ojai [P]
Oxnard [P]
Placentia [P]
Puente Hills [P & E]
Santa Ana [P]
South Whittier [P]
Stanton [P]
Tustin [P]
Valinda [P]
Westminster [P]

INDIANA (state cable franchising law adopted in 2006)

Comcast

Bristol [P]
Elkhart [P]
Goshen [P]
Granger [P]
Hammond [P]
Lafayette [P]
Merrillville [P]

Comcast

Michiana [P]
Middlebury [P]
Mishawaka [P]
Muncie [P]
Osceola [P]
Plymouth [P]
Portage [P]

Comcast

Rochester [P]
Roseland [P]
South Bend [P]
Valparaiso [P & G]
Wakarusa [P]
West Lafayette [P]

APPENDIX 2

PEG ACCESS CENTER CLOSURES SINCE 2005

MICHIGAN (state cable franchising law adopted in 2006)

Comcast

East Lansing [P]

Edwardsburg [P]

Flint [P]

Comcast

Holland [P]

Lansing [P]

NEVADA (state cable franchising law adopted in 2007)

Charter

Reno [P, E & G]

Sparks [P, E & G]

Washoe County [P, E & G]

WISCONSIN (state cable franchising law adopted in 2007)

Charter

Madison [P]

Wausau [P, E & G]

Time Warner

West Allis [P]

ILLINOIS (state cable franchising law adopted in 2007)

Comcast

Bloomington [P]

Carol Stream [P]

Glendale Heights [P]

Highland Park [P]

Itasca [P]

Medinah [P]

Niles [P]

Comcast

Orland Park [P]

Palatine [P]

Park Forest [P]

Roselle [P]

Springfield [P]

Wood Dale [P]

IDAHO

Windjammer

Mountain Home [P]

MONTANA

Bresnan

Great Falls [P]

WASHINGTON

Comcast

Bainbridge Island [P, E & G]

APPENDIX 3

ON-LINE SURVEY QUESTIONNAIRE

ACD Survey: Current Status of PEG Access Funding

If you are the Executive Director or Manager of a community media organization that oversees the programming of one or more Public, Educational or Government (PEG) Access cable channel(s), please complete this survey about your organization and the funding and other resources it has received in recent years.

In the wake of increased news reports on closures and threats to PEG Access organizations and the channels they operate in communities throughout the United States, the Alliance for Communications Democracy (ACD) obtained a grant from the Benton Foundation to study the causes and extent of these closures and threats. This online survey is one of the activities associated with that study.

The ACD and the Benton Foundation -- long-time noncommercial allies in the effort to support and develop community media -- are very interested in the root causes of the recent closures and threats to PEG Access that have been reported recently. An important barometer of the current situation is factual information about the funding and related support to PEG Access organizations in recent years, and their perception of threats to that funding and related support in the near future.

If you have any questions about the items in the survey, you may contact the survey coordinator, Randy Van Dalsen (email: randy@buskegroup.com; phone: 916-441-6277).

At the conclusion of this study, the survey results will be provided to all participants, at no cost to them.

Please complete the survey, because at the end you can enroll for a drawing for a great prize! The names of TWO survey participants who complete the survey will be picked at random, AND EACH OF THEM WILL RECEIVE A BRAND NEW FLIP ULTRA HD CAMCORDER!

YOU MUST PROVIDE THE REQUESTED CONTACT INFORMATION TO BE INCLUDED IN THIS DRAWING.

PLEASE NOTE: THE DEADLINE TO COMPLETE THIS SURVEY HAS BEEN EXTENDED TO MONDAY, FEBRUARY 14, 2011.

THANK YOU!

ACD Survey: Current Status of PEG Access Funding

1. Name of your Access programming organization:

2. Year that your Access programming organization was established:

3. Approximate number of residents in the cable franchise area served by your Access programming organization:

Please enter a whole number, with no commas or
decimals:

4. Total number of current Full Time Equivalent ("FTE") staff employed by your Access programming organization, not including volunteers or unpaid interns, that work on PEG Access activities.

(Calculate total FTE by assuming 40 hrs./wk. = 1.0 FTE; 20 hrs./wk. = 0.5 FTE; etc.):

5. What type (or types) of local Access programming and related services does your organization provide?

[CHECK ALL THAT APPLY]

Public Access

Educational Access

Government Access

Other (please describe below):

6. If one or more other organizations manage Public, Educational or Government Access programming and services for your cable franchise area, please provide the name(s) and email address(es) of the Executive Director or Manager for each organization. We will use this information to invite them to participate in this survey.

Public Access:

Educational Access:

Government Access:

ACD Survey: Current Status of PEG Access Funding

7. Please indicate the total number and types of Access channels currently managed by your organization:

	0	1	2	3	4	5	6 or more
Number of Public ("P") Access channels:	<input type="radio"/>						
Number of Educational ("E") Access:	<input type="radio"/>						
Number of Government ("G") Access:	<input type="radio"/>						
Number of combined P and E channels:	<input type="radio"/>						
Number of combined P and G channels:	<input type="radio"/>						
Number of combined E and G channels:	<input type="radio"/>						
Number of combined P, E and G channels:	<input type="radio"/>						
Number of Other* types of Access channels:	<input type="radio"/>						

* If you indicated "Other" types of Access channels, please describe those channels below:

ACD Survey: Current Status of PEG Access Funding

8. FUNDING FROM YOUR LOCAL FRANCHISING AUTHORITY/FRANCHISE FEES.

For this question, only include the portion of franchise fee payments that were made by your cable operator(s) and were subsequently delivered, either directly or indirectly, to your organization for PEG Access purposes. If your local franchising authority deposited franchise fees into its general fund, from which it allocated funds to your organization, please include the dollar amounts used by your organization for PEG Access purposes.

Do not include funding from your cable operator(s) that was in addition to franchise fees -- such as capital payments or other payments to support PEG Access -- and do not include in-kind services.

[NOTE: If your organization replaced a different organization that had provided similar PEG Access services in your community prior to 2006, please indicate the amount allocated to that organization from the local franchising authority/franchise fees in 2005 (or 2005/2006 Fiscal Year), if that information is available.]

Please provide dollar amounts with no commas, decimals or \$ signs.

Funding from local franchising authority/franchise fees to your organization in 2010 (or 2009/2010 Fiscal Year):

Funding from local franchising authority/franchise fees to your organization in 2005 (or 2005/2006 Fiscal Year):

ACD Survey: Current Status of PEG Access Funding

9. FUNDING FROM YOUR CABLE OPERATOR(S).

For this question, please indicate the dollar amounts provided to your organization by your cable operator(s) for PEG Access purposes -- IN ADDITION TO FUNDING FROM YOUR LOCAL FRANCHISING AUTHORITY/FRANCHISE FEES. Such funding may have been paid directly to your organization, or may have been paid by your cable operator (s) to your local franchising authority, which allocated a portion or all of those funds to your organization. Such funding may have been restricted to capital expenditures.

Please do NOT include the dollar value of "in-kind" services and materials that were provided to your organization, or any of your organization's funding FROM YOUR LOCAL FRANCHISING AUTHORITY/FRANCHISE FEES that you indicated in your answer to the previous question.

[NOTE: If your organization replaced a different organization that had provided similar PEG Access services in your community prior to 2006, please indicate the amount provided to that organization by the cable operator(s) in 2005 (or 2005/2006 Fiscal Year), if that information is available.]

Please provide dollar amounts with no commas, decimals or \$ signs.

Funding from your cable operator(s) to your organization in 2010 (or 2009/2010 Fiscal Year):

Funding from your cable operator(s) to your organization in 2005 (or 2005/2006 Fiscal Year):

10. For this question, please indicate whether or not the dollar amounts you reported above that were provided by your cable operator(s) for PEG Access purposes -- IN ADDITION TO FUNDING FROM YOUR LOCAL FRANCHISING AUTHORITY/FRANCHISE FEES -- were restricted to capital expenditures only:

2010 (or 2009/2010 Fiscal Year)

RESTRICTED

NOT RESTRICTED

2005 (or 2005/2006 Fiscal Year)

11. TOTAL FUNDING FOR YOUR ORGANIZATION.

For this question, please indicate the TOTAL dollar amounts received by your organization for PEG Access purposes from ALL INCOME SOURCES. This would include the sum of the amounts previously indicated that your organization received from: (1) your local franchising authority/franchise fees, and (2) your cable operator(s), plus the amounts your organization received from any other sources (e.g., fundraising activities, production services, donations, dubbing fees, training services, etc.).

Please do NOT include the dollar value of "in-kind" services and materials that were provided to your organization.

[NOTE: If your organization replaced a different organization that had provided similar PEG Access services in your community prior to 2006, please indicate the total amount received by that organization in 2005 (or 2005/2006 Fiscal Year), if that information is available.]

Please provide dollar amounts with no commas, decimals or \$ signs.

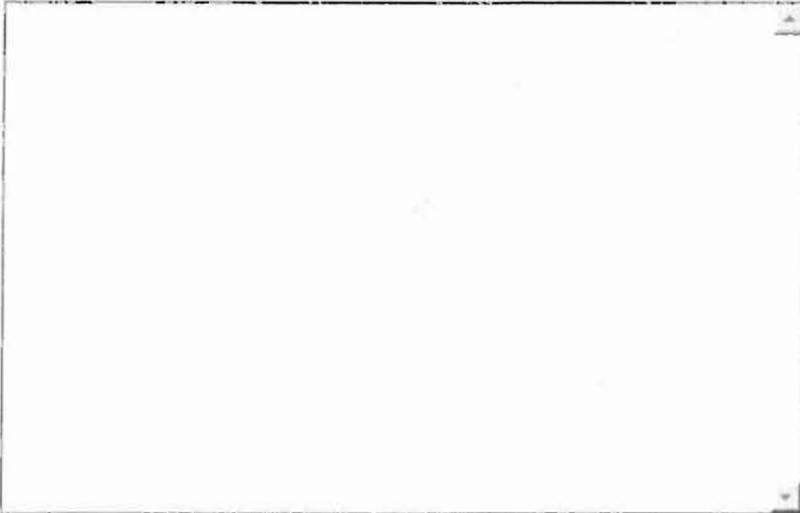
Total funding received by your organization in 2010 (or 2009/2010 Fiscal Year):

Total funding received by your organization in 2005 (or 2005/2006 Fiscal Year):

12. "IN-KIND" SERVICES AND MATERIALS FROM YOUR CABLE OPERATOR(S).

During the past five years, has your organization received any in-kind services or materials from your cable operator(s), free of charge, for PEG Access purposes? For example, some cable operators provide Access studio/production facility space, an upstream connection between Access playback facilities and the company's headend, promotional support for Access (e.g., free advertising spots on satellite-delivered channels, free bill inserts), etc.

In the space provided below, please describe any in-kind services and materials currently received by your organization from your cable operator(s), and describe any changes in the provision of such services and materials to your organization since 2005.



13. REASONS FOR REDUCTIONS IN FUNDING OR "IN-KIND" SERVICES AND MATERIALS TO YOUR ORGANIZATION SINCE 2005.

If the funding allocations or in-kind services and materials to your organization from your local franchising authority or cable operator(s) for PEG Access purposes have been reduced since 2005, please check the applicable reason(s) for those reductions, and briefly describe the details in the space below:

- Recently renewed local cable franchise resulted in reductions of funding or in-kind services and materials to my organization
- State franchising law resulted in reductions of funding or in-kind services and materials to my organization
- Local franchising authority decided to cut or divert the funding of my organization
- Other reason(s)

Briefly describe the details regarding the reductions in funding or "in-kind" services and materials to your organization since 2005:

14. ANTICIPATED THREATS TO YOUR ORGANIZATION'S FUNDING, IN-KIND SERVICES, CHANNELS, OR EXISTENCE DURING THE NEXT THREE YEARS.

If your organization anticipates serious threats to its funding, in-kind services and materials, channels, or even its existence during the next three years, please check the applicable reason(s) for those anticipated threats, and briefly describe the details in the space below:

- Recently renewed (or soon to be renewed) local cable franchise will or may likely result in the reduction or elimination of funding, in-kind services and materials, or channels to my organization
- State franchising law provisions (becoming effective soon) will or may result in the reduction or elimination of funding, services and materials, or channels to my organization
- Local franchising authority may reduce or eliminate funding to my organization
- Other reason(s)

Briefly describe the anticipated threats to your organization's funding or existence during the next three years:

ACD Survey: Current Status of PEG Access Funding

15. Thank you very much for your participation in this important survey. Please provide the following information that will enable us to contact you if we have any follow-up questions regarding the information that you have included in your survey responses.

PLEASE NOTE: At the conclusion of this survey, your name will be included in a drawing for a chance to win one of two Flip Ultra HD camcorders.

YOU MUST PROVIDE THE REQUESTED CONTACT INFORMATION TO BE INCLUDED IN THIS DRAWING.

Thanks again – and GOOD LUCK!

Name:

Organization:

Phone Number:

Email address:

Waiting on Commission

