

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

In the Matter of	)	
	)	
Annual Assessment of the Status of	)	MB Docket No. 12-203
Competition in the Market for the	)	
Delivery of Video Programming	)	

**COMMENTS OF THE DISTRICT OF COLUMBIA**

The District of Columbia submits these comments through its cable franchising authority, the District of Columbia Office of Cable Television (“OCT”), in response to the above-captioned Notice of Inquiry (“NOI”), released July 20, 2012, seeking “data, information, and comment on the state of competition in the delivery of video programming.”

The District of Columbia (the “District”) is a municipal corporation and the capital of the United States with a current population of 601,723. The District’s population swells to over a million during the work week due to commuters from the surrounding Maryland and Virginia suburbs. The demographics of the District reflect an ethnically diverse, cosmopolitan, mid-sized city-state. OCT is the District’s government organization that regulates cable television service by: (1) negotiating, implementing, and enforcing cable television franchise agreements; (2) tracking, resolving and mediating cable/video service complaints; and (3) enforcing the Federal Communications Commission and District of Columbia cable television standards. OCT also coordinates and manages the District’s Public, Educational, and Governmental (“PEG”) Channels.

The District's population and homes passed number has steadily increased over the past decade. This has resulted in a consistent flow of franchise fees to the District government.

District laws and franchise agreements also require significant PEG contributions from its three cable providers. As a result, the District's PEG Channels' funding source has been consistent and, with streamlined internal operations, sufficient to carry out the PEG Channels' missions.

1. The District of Columbia is served by three cable television franchisees, Comcast Cablevision of the District, LLC ("Comcast"), RCN Telecom Services, LLC ("RCN"), and Verizon Washington, DC, Inc. ("Verizon"). Based on data received from Comcast and RCN, there are approximately 460,000 homes passed in the District of Columbia. Further, according to data collected during a telephone survey of Comcast subscribers conducted during OCT's Community Needs Assessment in 2011, 57.8% of Comcast subscribers reported they have a choice of cable television providers.

The District's franchise agreements with Comcast, RCN, and Verizon all provide for an allocation of PEG Channels. The District entered into a cable television franchise agreement with Comcast in 2002, which allows for up to eight (8) analog and eleven (11) digital PEG channels. The District is currently using six (6) Comcast channels for PEG programming. The District entered into an OVS franchise agreement with RCN in 2005, which allows for up to eight (8) Analog and eight (8) Digital PEG channels. The District is currently using six (6) digital RCN channels for PEG programming. The District entered into a cable television franchise agreement with Verizon in 2009, which allows for up to nine (9) digital PEG channels. The District is currently using seven (7) Verizon channels for PEG programming.

2. The District's PEG Channels are available on the lowest tier of cable service provided by each cable television provider. Extra equipment is required to view the PEG Channels. The District's cable providers require customers to use a digital converter box or a cable card to receive the lowest tier of cable television service.

3. The number of PEG Channels currently on Comcast, RCN, and Verizon in the District is the same as 2010.

4. The main sources of information regarding the availability of PEG programming for the District's government channels are the District's website ([www.oct.dc.gov](http://www.oct.dc.gov)) and the rate cards and on-screen guides for Comcast, RCN, and Verizon in the District. The main sources of information regarding the availability of PEG programming for the District's educational channels are the District's website ([www.oct.dc.gov](http://www.oct.dc.gov)), the University of the District of Columbia's website ([www.udc.edu/cable\\_tv\\_19](http://www.udc.edu/cable_tv_19)), and the rate cards and on-screen guides for Comcast, RCN, and Verizon in the District. The main sources of information regarding the availability of PEG programming for the District's public channels are the Public Access Corporation of the District of Columbia's website ([www.dctv.org](http://www.dctv.org)) and the rate cards and on-screen guides for Comcast, RCN, and Verizon in the District.

5. General Information Regarding PEG Channels in the District of Columbia:

The District of Columbia PEG Channels provide a valuable service to District residents by providing information about their community and by making their government more transparent and accessible. District residents agree with this assessment. OCT conducted a

survey of Comcast subscribers (the District's largest cable provider) during the course of a 2011 Community Needs Assessment. The survey found that seventy-seven percent (77%) of all Comcast subscribers in the District, viewers and non-viewers of PEG Channels, said that it is either "very important" or "somewhat important" to have local TV channels that feature local community programming about organizations, individuals, events, schools, and local government. When all Comcast subscribers were asked how much of their monthly cable bill should be set aside to support the development of local cable TV programs, 71% said *one* dollar or more should be set aside and about half said *two* or more dollars. The average or mean of all responses was \$2.72. This average compares very favorably to three commercial channels tested (ESPN, Fox News, and MTV), as the averages for each, respectively, were \$1.79, \$1.72 and \$1.17. District of Columbia residents appreciate its PEG Channels and recognize the value the channels bring to the community.

The following represents a summary of the PEG Channels available in the District.

#### Public Access Channels

The District has two public access channels on the Comcast and RCN system and has three public access channels on the Verizon system. The Public Access Corporation of the District of Columbia operates and manages the District's public access channels, known collectively as "DCTV." DCTV is a membership-based, non-profit public access television network. Since 1988, DCTV has provided residents of the District the opportunity to create and telecast their own shows on cable television. DCTV's mission is as follows: (1) Providing opportunities for community residents and organization to create noncommercial television programs and telecast them on cable channels on a fair and equitable basis, free of censorship and editorial control; (2) Engaging the entire community in a dialogue that is broadly

representative of its varied perspectives and cultures; and (3) Ensuring the presence of diverse cultural groups and ideas traditionally unheard or under-represented in the media.

DCTV aims to establish high standards in public access television. Annually, DCTV's 600+ members contribute more than 140,000 volunteer hours in the development of DCTV programming. DCTV also serves the community by providing training and networking opportunities. DCTV training areas include studio technology, field technology, editing, and production. This training is provided free of charge to DCTV members and membership is only fifty dollars (\$50.00) per year. DCTV also provides television studio training for high school and college aged students and has an internship program.

DCTV has recently updated its facilities and equipment. It switched its studio from an analog to digital studio capable of producing in high-definition ("HD"). DCTV updated its graphics system and several HD cameras were purchased along with a digital switcher and digital audio mixer. The studio renovation also included refurbished sets, new lighting systems, and a portable studio.

### Educational Channels

The District has two educational channels, the District Knowledge Network (DKN) and the University of the District of Columbia Television (UDC-TV).

The District Knowledge Network (DKN) grew out of what was once the audio/visual component of the Public Information Office of District of Columbia Public Schools. At the time its mission was to simply provide information about and coverage of K-12 school-based events. After its move to OCT's facilities in 2008 and a successful re-branding effort in 2010, DKN is embracing its revitalized mission to not only serve its original client base but to expand its programming to better serve a more broad demographic. That expanded viewership includes

adult learners, the charter school community and those with a stake in the impact of national education reforms on the local school district. This effort is achieved through collaboration with DC Public Schools, the DC State Office of Education and the DC State Board of Education. It is reflected in locally produced programming such as live, uninterrupted school board meetings, DCPS School News, DCPS Sports including coverage of its two signature events, the Turkey Bowl football classic and the Citywide Championship Title basketball game.

Now in its fifth year of production, DKN also features an on-going feature entitled “School Sketches”, a series of vignettes that provide a snapshot of what is unique, special and successful in DC public schools and charter schools. Washington, D.C., for better or worse, is ground zero in the national education reform movement so DKN features programming that keeps the school community informed of the myriad changes affecting teachers, students, parents and staff. This includes updates on the many on-going facilities modernization efforts that are part of the city’s plan to provide students with 21<sup>st</sup> century centers for learning. We provide coverage of DCPS’s celebration of its teachers who are rewarded under the new evaluation system known as “IMPACT”.

DCN also airs some of the best instructional programming available for K-12 through adult education. Viewers can prepare to take the GED (GED Connection) and learn how to be a success in the workplace (Workplace Essential Skills); teenagers can keep up with current events (Teen Kids News), adults can stay plugged into public affairs (White House Chronicles) and everyone can get a little exercise (Jazz Cardio Strength Stretch).

One of the most significant programming DKN provides is that which is with and for students in high school or college who are pursuing an interest in media. DKN has provided hands-on training in all aspects of video production to dozens of students as part of the city’s

Summer Youth Employment Program. Annually, OCT provides invaluable exposure to field production by providing instruction on its mobile production truck to students enrolled in media classes in DC public and public charter schools. One of the challenges is being able to continually air current student-produced work on the channel. DKN has a forum for showcasing those productions and will continue to pursue a more active, collaborative partnership with the media teachers and their students.

The University of the District of Columbia Television (UDC-TV) is a 24-hour educational cable program service operated by the University of the District of Columbia. It also serves a District government non-commercial adult education program service. The channel's mission is to support the University in carrying out its land-grant function of teaching, research and public service through the innovative use of cable television technology and programming.

UDC-TV is located on the campus of the University of the District of Columbia and its facilities include a master control and studio. The channel features original programming created by students and faculty. UDC-TV has also partnered with the Research Channel from the University of Washington for programming. The channel works closely with the University Relations and Public Affairs Division to promote the university's programs and achievements. The university's mass media arts program features a television production concentration that prepares students to pursue careers in television production and management. UDC-TV provides the facilities for these students to be trained in all aspects of broadcast production.

Challenges faced by UDC-TV include funding and student enrollment. While the transition from analog to digital production and playback has been completed at UDC-TV, the university has unmet needs regarding the upgrade of its studio and production facilities to be

up-to-date with current technology. Another problem UDC-TV is facing is the university's enrollment has dramatically decreased in the past decade and the media department includes less than ten students. Faculty retirement and attrition is also a problem, as a result UDC-TV is not adequately staffed. The ability to use PEG fees for staff salaries would especially help UDC.

### Government Channels

OCT manages the District's two (2) government channels and the District's public school channel, DKN (described above). OCT operates two government channels, the District of Columbia Network, (DCN), and TV-13. The objective of DCN is to provide information regarding the many programs, services and opportunities made available by the District of Columbia Government. The mission of TV-13 is to provide gavel-to-gavel coverage of the live and recorded activities of the DC Council and its various committees. Together these channels are intended to provide District of Columbia residents access to the activities and processes of the government. As the government arm in PEG, OCT's two channels are generally characterized as the Executive (DCN) and the Legislative (TV-13) channels. Programming consists of press conferences, groundbreaking and ribbon cuttings, meetings involving the community, task forces, and commissions, legislative proceedings, city agency overviews and initiatives, and information on the business community. Additionally, DCN provides original programming on public affairs, arts and entertainment, and community views and opinions. Programming for the channels is produced via ENG, EFP, and in studio. Both channels are also video streamed on the OCT website, along with selected programming available online so that viewers may watch at a convenient time for them.

As a result of consistent funding from franchise fees and PEG fees, OCT has been able to utilize advancing technologies that allow for more efficiency in program production in its

government and educational programming. Servers and networking provide the ability to share and transfer media with internal and external customers, robotics have given individual operators additional control and flexibility over productions, advances in non-linear editing equipment and software have enhanced the look of programming and the time involved to create, as is also the case with newer character generators that allow video and audio clip manipulation. One of the most beneficial technological additions has been the ability to go live via Ethernet and wireless connections from any location.

The District has faced financial challenges in the past several years due to severe cuts in the government budget. OCT's budget has been reprogrammed several times and franchise fees collected and reserved for improvements in facilities and technology have instead been used to supplement general budget shortfalls. For several years, OCT has been planning to relocate to a new studio and master control facilities that are better equipped to house and utilize OCT's state-of-the-art equipment, but the District government budget shortfalls continue to delay progress. OCT has also been forced to streamline its operations, which included staff reductions. Changes in federal law to permit PEG fees to be used for capital and operating expenses, including staffing, would assist the District in executing their PEG related missions in the face of reduced budgets.

Despite these challenges, the District has been able to maintain quality PEG Channels and provide needed services to District residents through those channels.

Respectfully submitted,

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