



**CGA Energy and Technology Committee
March 3, 201 Public Hearing**

Comments by Pua Ford, Media Specialist

**Comments regarding RHB-6460 AAC Public Access Channels
and
Support for RHB-6485 AAC Periodic Review of Video Providers**

My name is Pua Ford. I am the Media Issues specialist for the League of Women Voters of Connecticut. On behalf of the League, I thank you for the opportunity to comment on the above-referenced bills.

The League of Women Voters of Connecticut believes that community access television channels must be adequately protected, promoted, and funded, regardless of the provider of TV/video services to Connecticut residents. Government should provide opportunities for citizen participation in decisions regarding community access, or PEG, TV.

HB 6460 attempts to address various local problems stemming from two common issues: (1) community access television groups all continue to need more funding and (2) there is a problem resolving control issues between town-specific and regional access entities.

- Sections 1 & 2 are based on 2008 legislation illustrating both those issues. The League has no comment on these sections or on Sections 5 and 6.
- Section 3: We would like to see clarification of this section. Any company providing video services still owes a per subscriber fee for the support of PEG operations whether they choose to pass that cost on to subscribers or not and whether or not they are interconnected to PEG channels. Relieving the competitive video service provider from collecting those fees should not relieve them from paying the accrued fees once there is an interconnection agreement. It has been almost three years since most good faith negotiations between video providers and incumbent cables commenced. There should be some language to force them to conclusion, especially because funding to smaller, town-specific organizations is held hostage during extended negotiations. Suggested substitute language is attached.
- Section 4: Although there is a universal need to fund labor and staff, it would be better to make sure these costs are allowable through the regular community access grant programs like those administered by the cable advisory councils in the two southern Cablevision areas, and as described in Section 2 of this bill.

HB 6458 came before the Committee in other forms during the past two years. With the entrance of internet protocol television and the passage of PA 07-253, there has been no regulatory check on video/cable television services. Among other problems, this hands-off situation leaves community access television centers vulnerable. If periodic reviews were in place and if the DPUC were committed to addressing this area of service, some of the problems that underlie HB 6460 might have been resolved.

The League views HB 6458 as a key piece of legislation whose passage and implementation cannot wait another year. Please give this bill your full support.

Again, I thank the Committee for the opportunity to comment on these issues today on behalf of the League of Women Voters of Connecticut.

Sincerely,

Pua Ford, Media Issues Specialist
League of Women Voters of Connecticut

attached:
Suggested substitute language for HB 6460 – AAC Public Access Channels, Sec. 3

Suggested substitute language for HB 6460 AAC Public Access Channels, Section 3

Sec. 3. Section 16-331h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) Not later than one hundred twenty days after the certified competitive video service provider begins offering service in a designated area pursuant to its certificate of video franchise authority, such provider shall provide capacity over its video service to allow community access programming, in its basic service package, in accordance with the following: (1) The certified competitive video service provider shall provide capacity equal to the number of community access channels currently offered by the incumbent community antenna television company in the given area; (2) the certified competitive video service provider shall provide funds for community access operations, as provided in subsection (k) of section 16-331a, provided a certified competitive video service provider shall not pay the accrued amount required pursuant to subsection (k) of section 16-331a until such provider has an interconnection agreement with the incumbent community antenna television company; (3) the certified competitive video service provider shall provide the transmission of community access programming with connectivity up to the first two hundred feet from the competitive video service provider's activated wireline video programming distribution facility located in the provider's designated service area and shall not provide additional requirements for the creation of any content; and (4) the community access programming shall be submitted to the certified competitive video service provider in a manner or form that is compatible with the technology or protocol utilized by said competitive video service provider to deliver video services over its particular network, and is capable of being accepted and transmitted by the provider, without requirement for additional alteration or change in the content by the provider.

(b) A certified competitive video service provider and a community antenna television company or nonprofit organization providing community access operations shall engage in good faith negotiation regarding interconnection of community access operations where such interconnection is technically feasible or necessary. Interconnection may be accomplished by direct cable, microwave link, satellite or other reasonable method of connection. [At the request of a competitive video service provider, community antenna television company or provider of community access operations, the Department of Public Utility Control may facilitate the negotiation for such interconnection.] If negotiations for such interconnection are not successfully concluded within a year of commencement, the Department of Public Utility Control shall take action to bring negotiations to conclusion.