



February 22, 2016

Government Administration and Elections Committee

Public Hearing – February 22, 2016

SUPPORT WITH REVISIONS FOR:
SB 104 – AN ACT ESTABLISHING THE STATE CIVIC NETWORK

Submitted by Jennifer Evans, West Hartford Community Television

I thank you for the opportunity to participate in this legislative proceeding. It is my privilege to speak to you today on behalf of West Hartford Community Television, a nationally recognized community media center that was co-founded in 1979 by former state senator Nan Streeter and Muriel Fleischmann. For 37 years, the station has worked to build a community resource that provides an open forum for free speech, community dialogue, cultural exchange and artistic expression.

We are encouraged by the committee's willingness to look for creative solutions to ensure that the people of Connecticut have meaningful access to state and local proceedings. Toward that end, there are several aspects of SB 104 which we believe must be amended.

SECURING PEG CHANNELS

Section 1

This bill removes the provision that The Connecticut Network is separate and distinct from community access channels. This distinction was made during negotiations in which no representatives from the access community centers were present. It allowed The Connecticut Network to have regular channel on AT&T U-verse while the local PEG channels would continue to exist through an sub-standard application, which despite Frontier's recent investment, has cumbersome drop-down menus and buffering issues which lead to sub-standard delivery of local access. We welcome any attempt to level the playing field so that community access channels will be carried as a full channels.

Current regulations allow for the coverage of three channels and we ask that clarity be given as to the intent of this provision to ensure that local PEG channels will not be affected in a negative way. Our channels provide a vital local service and we ask that there be a clear definition of the funding stream so that it is understood that the intent is not to undermine local access channels but to create a new funding model that is similar in structure and not in competition with funds for local access.

We also strongly encourage The Connecticut Network to partner with local access stations when possible for events that are happening in local communities. CT-N began as a pilot project of West Hartford Community Television and we share many of the same goals. An event or proceeding that is held in a local town may be carried by the local access channel and if that is the case we can share video.

PEGPETIA CLARIFICATION

Section 7

Section 7 should not be changed to update the statute for the State-Civic Network because this provision was a one-time transfer made from PEGPETIA to allow for inter-connection of CT-N with AT&T U-verse. It was never the intent of the account to be used in this manner and was a special exception made to the CT Public Affairs Network so they could connect and receive a state-wide distribution on U-verse.

The PEGPETIA fund is derived through a tax on cable companies that was set up in 2007 as the funding mechanism for schools and community media centers in the absence of franchise renewal. During the last session, the fund was re-appropriated to the general fund and the applications are no longer being accepted.

In 2007, with the entry of cable companies like AT&T U-verse and the advent of internet protocol television, the legislature changed the process by which local community television is regulated. Traditionally, WHC-TV operated within a franchise agreement negotiated by the Department of Public Utility Control, (now PURA). The opportunity to negotiate for capital needs and increased funding was a docketed process in which the public was invited to participate.

West Hartford and all the stations in the Hartford Franchise would have begun renegotiating our franchise in 2009. This would have been the opportunity to ask for items like interconnection to our high schools or having our schedule included on the program guide. Instead the mechanism for renegotiating franchises was changed and the per-subscriber amount is adjusted annually each year by the CPI index through a docket at the Public Utility Regulatory Authority. Also, as part of the PA-07-253, unlike CT-N, we became responsible for interconnection with the cable company. Cable companies were given the opportunity to opt out of franchise regulations by applying for a certificate of video service or cable franchise authority. This certificate has no term limit or periodic review requirements.

Essentially, the process for funding community television was completely re-envisioned and the PEGEPTIA account was created as a non-lapsing fund generated from a tax on gross receipts of cable companies. The fund was front-loaded for the first two years and now consists of .025% tax collected to support the technology needs of schools and community media centers. The granting process is currently closed due to the re-appropriation of funds during the last legislative session.

This regulatory structure is difficult because our success is tied to two key factors – the capacity to provide staff to train volunteers and the need to fund capital improvements ourselves or with grants. PEGPETIA is critical to our future because it allows us to put media tools in the hands of our residents. It appears to us that there is a general misunderstanding as to the critical nature these funds play. Funds were taken from this account so completely in the previous budget cycles that the grant program was shut down in the fall of 2013. Funding was opened again for four weeks last year due to the advocacy of the community television directors state-wide and the support of local representatives and senators who summoned the will to fight for the return of funds in a budget surplus year. The fund was subsequently re-appropriated and is closed for applications at this time.

Since Section 7 of this bill represents a single event that occurred rather than a general operating procedure, we request that the section be struck or that language be included which specifies the date of the transfer.

PER SUBSCRIBER FUNDING MODEL CHALLENGES

The per-subscriber system in place is imperfect. Local community television stations have few mechanisms for negotiations on items that are critical to our future such as inclusion on the electronic programming guide, pathways to HD channels and classification of subscribers. West Hartford Community Television received \$1,000 less in funding this year than in a prior year through this same.

We thank you for the opportunity to speak with you today and am happy to answer any questions you may have. CT-N provides a valuable resource and should be preserved and we look forward to working with the committee to ensure that local PEG and CT-N remain vibrant and true to their missions.

Submitted Respectfully By,

Jennifer Evans

Executive Director

West Hartford Community Television