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**Alliance Testifies Before House Subcommittee on
Telecommunications and the Internet:
PEG Access in the Digital Age**

The Alliance was represented by today by Ms. Annie Folger, Executive Director of the Midpeninsula Media Center. Ms. Folger's remarks addressed the difficulties faced by Public, Educational and Government Access (PEG) communities across the country. Many communities are seeing threats to their PEG facilities posed by video providers unwilling to meet the public interest needs required of them in exchange for use of the public rights of ways.

Millions of dollars have been spent by telephone and cable companies in the past two years on ad campaigns and lobbying to influence state cable franchise laws in 17+ states. The FCC has over-ruled Congress, assigning itself powers that Congress conferred on local communities.

According to Ms. Folger, *"This chaos is being used to dismantle PEG support and to damage channel quality and accessibility. We welcome competition. But it cannot be used to gut PEG Access provisions that have provided direct service to the local community."*

Ms. Folger's testimony made special example of AT&T's blockage of closed-captioning for PEG channels on its U-Verse system— a function which is found on all of its commercial channels. At DeAnza Community College in Ms. Folger's home town, this policy results in the inability of hearing impaired students to view classes which they need to improve their lives.

According to Alliance Executive Director, Anthony Riddle, *"AT&T's practice is not the only bad act by a video provider, but their willingness to sacrifice the needs of disabled students in a race for profit certainly makes them the poster child of corporate irresponsibility."*

Another issue raised was the "channel-slamming" engaged in by Comcast. Channel slamming is the practice of relocating PEG channels from desirable locations to inaccessible or unfamiliar "wilderness" locations on short notice and without consulting the communities involved. Additional purchases or steps may be required of viewers to continue viewing PEG channels. This practice isolates the PEG channels and tends to decrease viewership.

Many PEG centers have moved into digital technology for production and transmission. PEG centers are fully engaged in migration to an integrated digital environment when allowed. The primary challenge for PEG access is not digital technology, but how cable providers— whether traditional cable operator or telephone company— provide PEG signal quality, functionality, channel placement and funding support.

For more detail, please refer to the attached testimony summary.

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Summary Testimony

The Alliance for Community Media

by Annie Folger, Executive Director, Mid-Peninsula Community Media Center

Public, Educational and Government Access (PEG) In the Digital Age

U.S. House Committee on Energy and Commerce

Subcommittee on Telecommunications and the Internet

January 29, 2008

PEG Access owes its existence to the visionaries in Congress who recognized that the franchising process created an unprecedented opportunity to enable local communities to provide for their unique needs. Millions of dollars have been spent by telephone and cable companies in the past two years on ad campaigns and lobbying to influence state cable franchise laws in 17+ states. The FCC has over-ruled Congress, assigning itself powers that Congress conferred on local communities. This chaos is being used to dismantle PEG support and to damage channel quality and accessibility. We welcome competition. But it cannot be used to gut PEG Access provisions that have provided direct service to the local community.

Many PEG centers have moved into digital technology for production and transmission. PEG centers are fully engaged in migration to an integrated digital environment when allowed. The primary challenge for PEG access is not digital technology, but how cable providers— whether traditional cable operator or a telephone company— provide PEG signal quality, functionality, channel placement and funding support.

How U-Verse is Delivered in Palo Alto

AT&T's "PEG platform" is an inferior technology which is only applied to PEG Access. The U-Verse PEG system is sub-par, low resolution, cumbersome and PEG channels are confined to a separate system inferior to commercial channels on AT&T's system in virtually every way that matters to a viewer. For example, Palo Alto cannot closed-caption the educational programming our hearing-impaired students rely on. All DeAnza Community College programming is closed-captioned, as California law requires. AT&T, however, will not pass through the closed-captioning DeAnza includes in its programming. This means that our disabled students cannot be served as the law and common decency demand.

Other PEG Deficiencies Engineered into U-Verse:

- DVR's cannot record PEG;
- 45-90 seconds to load channel;
- Channels are hard to find;
- No second audio program;
- Have 25% as much resolution;
- Have much smaller picture;
- Picture *stutters* when used for sports, dance or motion.

(Note: To Receive sample PEG on U-Verse DVD, see contacts on reverse side.)

PEG Is Under Attack Around The Country

- **MI** Comcast unilaterally channel slams PEG in ways that make it far less accessible to the public. Comcast has closed facilities in nine different cities.
- **IN** Comcast closed PEG facilities in 12 communities.
- **OH, FL, MO, WI** PEG funding 100% eliminated in the next five years.
- **KS** Salina PEG loses over \$130,000 per year immediately—the majority of their budget.
- **TX** Time Warner eliminated PEG facilities on the first day allowed, with practically no notice, sending the Public Access channel into black.

Other examples of unintended consequences and bad action allowed in the current chaos are available.

We Need Congressional Help

As you did in 1984, we look to you, our leaders in Congress, to declare your vision in 2008, to preserve the ability of local communities to engage in local media, to express their unique interests and cultures, to get to know their neighbors views, to stay informed on local issues

For Copies of the *PEG ON U-Verse DVD*, Please Contact Anthony Riddle

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The Alliance fully supports the testimony of Mayor O’Rielly of Dearborn, MI on behalf of NATOA and local governments.

The Alliance for Community Media, a national membership organization, represents 3,000 Public, Educational and Governmental (PEG) Access centers across the nation. PEG channels are used by 1.2 million volunteers and 250,000 community organizations. Local PEG programmers produce 20,000 hours of new programs per week –more new programming than all of the broadcast networks combined.