TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: ADMINISTRATIVE SERVICES

DATE: MARCH 10, 2008 CMR: 153:08

SUBJECT: INFORMATION ON TESTIMONY BEFORE THE UNITED STATES
HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON
TELECOMMUNICATIONS AND THE INTERNET

This is an informational report and no Council action is required.

BACKGROUND
In 1983, the cities of Palo Alto, Menlo Park, East Palo Alto, Atherton, and portions of San Mateo and Santa Clara Counties entered into a Joint Powers Agreement (CAO) for the purpose of obtaining cable television service for residents, businesses and institutions within these jurisdictions. The JPA gives Palo Alto the authority to administer the cable franchise process on behalf of its members. Franchise holders provide compensation to the JPA (e.g., franchise fees, Public Education and Government (PEG) access fees, PEG channels, etc.) for the use of its public streets and rights-of-way.

On October 22, 2001, the Council designated the Midpeninsula Community Media Center, Inc. (Media Center), as its Community Access Organization (CAO) to manage and operate the JPA’s PEG access facilities and channels provided pursuant to the AT&T Broadband cable franchise.

DISCUSSION
On January 29, 2008, Annie Folger, the Executive Director of the Media Center, was invited to testify before the United States House of Representatives Subcommittee on Telecommunications and the Internet. She spoke on behalf of the Alliance for Community Media, a national membership organization, representing 3,000 PEG access centers across the nation. A copy of her testimony is attached.

In her testimony about the future of PEG access in the digital age, Ms. Folger called attention to the growing erosion of PEG support in video provider circles. That lack of support could seriously undermine and threaten the ability of PEG to fulfill the vital public interests that it is charged to serve. She focused on the problems the Media Center has encountered with AT&T’s PEG product on its U-Verse system, which now is offered in one JPA member’s jurisdiction. Ms. Folger informed the House Subcommittee that AT&T’s method and format for delivering
PEG access channels renders them substantially inferior to every other available popular commercial channel on AT&T’s system in virtually every way that would matter to a concerned viewer.

She urged Congress to support and strengthen laws protecting PEG access and to let industry and the FCC know that current efforts to imperil PEG will not be tolerated. By doing so, Congress would provide local communities with the ability to engage in local media, to express their unique interests and cultures, to get to know their neighbors’ views and to stay informed on local issues.

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ATTACHMENTS:
Attachment A: Summary of Testimony
Attachment B: Testimony