

**“Public, Educational, and Governmental Access Channels:
Localism and Diversity In Action”**

Before the Alliance for Community Media

**Commissioner Gloria Tristani
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[As Prepared for Delivery]

Good afternoon, and thank you for that kind introduction Bunnie. I am delighted to join you here. First of all, I would like to congratulate the Alliance for Community Media on your 25th anniversary. You have not only survived but thrived in the past quarter century. Having been in Washington just since 1997, I am beginning to see what a true achievement that is!

Actually, one of the keys to the Alliance’s longevity has to do with the clarity of your vision. Being clearly focused on your mission helps you avoid distraction or unnecessary conflict. And being clearly focused on your objective gives you credibility with Washington policymakers. That is a valuable commodity in this city. That is why I have always been very interested in the Alliance’s work. And when Bunnie asked me to join you on your 25th anniversary, I was happy to accept.

Today I would like to discuss your corner of the video universe. The work done by public, educational, and governmental access providers has always been valuable. At its most basic, PEG access empowers individuals and groups to use the media to educate and enrich their communities. It is television by the people and for the people. It represents the purest form of media democracy. Now, with the growing consolidation of the media, the role of PEG access is more important than ever.

Industry consolidation and new technology – a “crisis” of sorts

President Kennedy was fond of observing that the Chinese symbol for the word “crisis” actually consists of two distinct symbols -- one represents “danger,” the other “opportunity.” I think that is helpful insight for where PEG access groups find themselves today.

On the one hand, cable industry consolidation is increasing the leverage of the largest cable operators in the franchising process. In the past, franchising authorities have benefited from seeing the kinds of deals other cable operators strike with their franchising authorities. But as the number of cable operators dwindles, the remaining MSOs may be able to move toward standardized franchise agreements. The result is that franchising authorities have fewer negotiated agreements from which to glean insights.

That could make it harder for franchising authorities to secure the best deals for PEG access.

But hopefully PEG access entities, working with the local franchising authorities, will turn this consolidation into an opportunity to grow PEG access. At a time where local regulators may fear the growing concentration of cable industry power, PEG access providers must remind everyone of their inherent localism. As local control of cable systems becomes a distant memory, PEG access providers must capitalize on the concerns raised by consolidation. Ask your franchising authorities to put a stake in the ground. Encourage them to do what they can to counter the trend toward bigness and sameness by supporting greater resources for PEG access channels.

And just when consolidation may weaken the hand of franchising authorities, the importance of getting good agreements has never been greater. This is because of rapid advances in cable technology. A prime example is interactive television. It has the potential to provide exciting new services and features for millions of cable subscribers. It could make television more enjoyable, informative, and educational.

But it also could help tilt the playing field against PEG access channels. Channels overlaid with interactive capability could gain an artificial advantage for viewership over “plain old” video channels. Another issue with interactive television is the importance of PEG channels receiving accurate listings in the cable operator’s electronic program guide. As channel capacity expands drastically, EPGs become more essential in helping viewers find the shows they want to watch. Not being listed in the EPG could have dire effects on PEG viewership. Cable operators must make every effort to bring interactive functionality to PEG channels as well as commercial channels.

Nonetheless, I do not mean to oversimplify this task. No one really knows which applications will drive demand for interactive television. And bringing interactive TV functionality to PEG channels will require hard work on the part of PEG programmers. But franchise renewals are rare events, and it will be important for franchising authorities to secure cooperation on interactive TV from cable operators even if “interactive television” remains an evolving concept.

A second area where new cable technology heralds both promise and pitfalls is digital cable channels. The ability to transmit video in digital format is an exciting technical advance. It allows cable operators to increase the number of channels they provide to customers. Whereas analog cable systems use a six megahertz path to transmit just a single video channel, digital cable uses that same bandwidth to transmit up to twelve video channels. Digital cable represents a sea change in the transmission capacity of cable networks.

As with interactive television, digital cable could marginalize PEG channels. Sitting among 30 or 40 cable channels, three or four PEG channels are a reasonable component of cable service and can be found by people looking for them as well as by

channel surfers. Sitting among hundreds of channels, three or four PEG channels could easily get lost in the shuffle.

To help avoid this, cable operators should use this increased digital capacity to renew their commitment to their communities. The Vermont Public Utility Commission has taken a significant step in this area by requiring its cable operators to set aside ten percent of their broadband capacity for PEG access services. I am not an expert in cable franchising, but that decision strikes me as good public policy. It helps ensure that PEG access programmers benefit from significant advances in cable technology while leaving the lion's share of channels under the cable operator's control. I hope that, at a minimum, digital cable technology will encourage cable operators to allocate more channels to PEG access.

PEG access channels – an antidote to media concentration

In the past few years, the radio, television, telephone, and cable industries have undergone serious consolidation. I am doing my best at the FCC to ensure a diversity of voices and delivery systems. In the area of radio, for example, the 1996 Telecommunications Act eliminated limits on national radio station ownership. One group owner, Clear Channel, has gone from owning 62 stations when the Act passed to owning roughly 1200 stations today. That concerns me.

To help counter the effects of radio consolidation, the FCC -- under the leadership of former Chairman Bill Kennard – created a new service called low power FM radio. We believed that increased public access to the airwaves could be achieved without harmful interference and would allow smaller non-profit groups to speak to their communities over the airwaves. Congress regrettably modified our initial plan, but I am pleased to report that over 1800 non-profits have applied for licenses.

I know that there are people in the audience who are low power FM applicants, and I applaud your patience! I am hopeful that low power FM licensees will produce the kind of diverse, community-oriented programming that PEG access producers have been giving us for years.

In the same way that low power FM radio may help counter the trend toward syndicated programming, I hope PEG access providers will be beacons of diversity and localism in the increasingly consolidated cable industry. After the AT&T-Media One deal, the cable industry seemed to take a breath. But earlier this week, the spark may have been lit for another round of consolidation when Comcast, the number three cable company, offered to buy AT&T Broadband, the largest cable company.

As cable operators get bigger, control over programming will be held by fewer and fewer gatekeepers. This enormous power concerns me. It's one thing to say there are a diversity of voices out there, and the Internet will ensure that no one exerts undue

control over America's information conduits. But look where the vast majority of Americans spend the most of their free time – in front of the television.

For better or worse, the content of television has far more influence on what Americans know, what they think, and how they govern themselves than whatever is on the Internet or in the newspapers. Television is a uniquely powerful and influential medium, and government regulators should think long and hard before approving another round of cable consolidation.

But the more consolidation that occurs, the greater the value of PEG access programming. PEG access is an antidote to the dangers of cable industry consolidation. It is a powerful idea that part of the media should exist directly in the hands of the public rather than large corporations. The ground-up programming you get when you empower individuals to create their own shows can be a welcome contrast to the top-down, lowest common denominator of network programming.

In its dealings with the nation's radio and television stations, the FCC has long promoted the goals of diversity and localism. These are fundamental objectives that broadcasters should aspire to. But while I keep hoping this diversity will magically appear on television networks each fall, PEG access programming represents true diversity today. Just look what happens when you put cameras in the hands of average Americans -- they make shows that look like America. One of the true strengths of public access programming is the opportunity for different groups to produce and show programming about their own cultures.

I also applaud the educational and governmental uses of PEG channels. I have long supported the use of technology to improve education. The FCC's primary focus in this area has been the e-rate. That is the plan Congress created to help schools and libraries pay for Internet connections. The e-rate plan caused some consumers' phone bills to rise by a few cents, and that generated political pressure on the FCC to scale back the program. The FCC rejected those calls, and the e-rate has proven to be a key contributor to getting all of America's classrooms connected to the Internet.

In the same vein, there is little doubt that educational opportunities can be enhanced through education access channels. One-way distance learning has improved the lives of many students. I am optimistic that two-way distance learning will put a new face on education.

And government access channels are, without question, an important exercise of self-governance. C-SPAN is a great contribution that the cable industry has made to Americans. It allows Americans to watch their elected leaders do the nation's business. Whether we like what we see is another matter ... but the point is we can see what is going on. We can then make our views known. We can be better-informed voters.

The same should be true for local government. Allowing citizens to see their local governments in action is a vital democratic tool. I can think of no more valuable

use of the communications media than to strengthen our democracy. Government access channels do that in a profound way. They allow citizens to see parts of their government they had previously only read about, if that. Democracies work best when citizens have more information, not less.

And local government is an area where interactive television could add some real value. How about allowing citizens to testify about matters of city business via a two-way interactive cable network? Reduce the barriers to participation, and you will get more citizen involvement in their local governments than you ever imagined. That is one of the great promises of interactive PEG channels.

Finally, I would be remiss if I did not again mention the work done by the Alliance for Community Media. The Alliance serves an important role by acting as a clearinghouse for PEG access best practices. There are more than 1500 access centers nationwide. Each one is a laboratory for how the cable medium can be used to further personal expression, community-building, and participation in government. But for PEG access to continue to evolve and improve, the best ideas need to bubble up to the surface. The Alliance facilitates this by sharing new and creative ideas at workshops like the ones at this convention.

Thank you again for the chance to speak with you, and congratulations on 25 years of service. PEG access has a great history. Do take advantage of the ongoing industry and technological changes to make an even brighter future for PEG and its participants.

