



Wisconsin Community Television Times

Keeping an eye on locally-grown TV.

November 2009

Legislative Briefing: Act 42 Leaves a Record of Broken Promises... Union Jobs Down, Rates Up, First Community Access Station Loses Funding

On Tuesday, November 17, **Representative Gary Hebl (D-Sun Prairie)** presided over a legislative briefing at the Capitol that highlighted the failure of the Cable Competition Act (2008 Act 42) to rein in rates, or provide jobs, or preserve community television as proponents promised in 2007 and *still claim*. The main focus of the session was to brief attendees on Rep. Hebl's Cable Consumer Repair Bill and how it will protect consumers, jobs, and community television. **Dr. Barry Orton** of the University of Wisconsin - Madison, **Rich Pearson**, Vice-President of CWA Local 4603 (Milwaukee), and **Mary Cardona**, Executive Director of the Wisconsin Association of PEG Channels spoke to the packed room. Other supporters of the Cable Consumer Repair Bill in attendance were **Dan Rossmiller** of the Wisconsin Association of School Boards, **Curt Witynski** of the League of Wisconsin Municipalities, **Rich Eggleston** of the Wisconsin Association of Cities, and **Rob Boelk**, President, CWA Local 4622 (Beaver Dam).

Communication workers support Hebl bill

Mr. Pearson stunned the crowd by announcing that the number of union jobs has actually dropped in the Milwaukee area since passage of Act 42. Mr. Pearson cited figures to show membership in the Milwaukee union is now 15% lower than last year, a loss of about 300 strong, family-supporting jobs. Employment opportunities created by AT&T's U-Verse roll-out are turning out to be limited term jobs with no pension benefits. With no apparent plans to expand the broadband build in Wisconsin, AT&T workers are being loaned for six weeks at a time to other states such as Indiana and Ohio where stronger broadband provisions in state statutes are creating work. While 300 U-Verse "boxes" (required to upgrade the telephone system to carry video) were installed in 2007 and another 300 in 2008, only 60 were placed in 2009. Workers placed the last one in September. (Note: According to AT&T's letter to DATCP in February, 31% of households in its service area were able to subscribe to U-Verse. By September, the company probably

reached a penetration level of 35%, the level Act 42 requires to be reached within three years. Act 42 does not require AT&T to build out any further until two years after U-Verse captures 30% of the market for six months. – Ed.)

Orton says rates won't go down

Professor Orton discussed how the bill would strengthen enforcement of consumer protections by transferring oversight from the Department of Financial Institutions to the Public Service Commission, by funding both agencies with revenue from annual licensing fees, by creating enforcement tools now absent, and by allowing local governments to enforce state-level consumer protections. Professor Orton pointed out that the promise made by promoters of the bill, that rates would instantly drop with competition, have very decidedly not proved to be true. "Cable rates never go down," Orton said. "They go up, and they go up consistently." Basic Cable rates are up 25% and Expanded Basic rates are up 18% in Charter's service areas since 2006.

First community access station loses funding

Ms. Cardona, Executive Director of the Wisconsin Association of PEG Channels, spoke about the damage being done to community television. A provision which ends PEG fees in 2011, has already jeopardized the future of WYOU, whose funding was cut in half by the City Council with the expectation that no funding would be available in 2011. Cable operators are moving community channels to hard-to-find places on the line-up. Municipalities are saying no to new and expensive transmission equipment that Act 42 requires cities to pay in order to be carried on channel 99, a website where community programming is buried under a series of menus. As a result, only seven stations are carried on U-Verse besides the Milwaukee channels, which received free equipment from AT&T prior to passage of Act 42.

WAPC supports the Cable Consumer Repair Bill because it will allow municipalities to reinstate PEG fees up to

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I ♥ PEG



Janet Werner
Executive Director
Jefferson Chamber of Commerce

"I can't say enough about the valuable asset the Jefferson community channel has been to the Chamber in promoting our events and tourism. From the taping of our Concerts in the Park to posting the dates of upcoming events to carrying numerous city meetings, it all helps to keep everyone abreast of what's going on in Jefferson. Thanks!"

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1%, transfer responsibility for transmission equipment back to video providers, and require all video providers to carry community television channels as they carry the local broadcast channels on the basic tier of service.

Ms. Cardona ended by noting that the City of Oak Creek, which is located in the district of Sen. Jeff Pyle, a co-author of the Cable Competition Bill, is part of a national upward trend of interest in “hyper-local” content by beginning to use its government access television channel for coverage of City Council meetings. The City also supports the Repair Bill.

Attendees were encouraged to ask questions and make comments. Members of the audience who participated included one foe of the bill, **Tom Moore**, the Executive Director of the Wisconsin Cable Communications Association (WCCA) and three supporters of the bill, **Marcia Standiford**, Manager of the Madison Metropolitan School District Media Services and **Pam Steitz**, Executive Director of Sun Prairie Cable Access, and **Brad Clark**, Manager of City Channel, Madison.

Besides those already mentioned, several members of WAPC traveled to attend the hearing including **Brian Utter** (McFarland), **Brian Winge** (Cottage Grove), **Alan Luckett** (Whitewater), **Connie Darling** (Fitchburg), **Barbara Bolan** (WYOU) and **Rachel Packard** and **Lindsay Giese** (Sun Prairie). **Gary Goyke**, WAPC’s lobbyist, was also present. Industry representatives in attendance were **A. J. Wilson**, lobbyist with Broyderick and Associates, representing AT&T and Scott Tyre, lobbyist for the WCCA. **Wisconsin Eye** taped the event and several news outlets covered it.

- Mary Cardona

Engineering Study: AT&T Chooses to Bury PEG under Menus

A 2008 study by Columbia Telecommunications Corporation called **Delivery of PEG Programming at Commercial Quality** explains that the flexibility of AT&T’s Internet Protocol (IP) – based system easily allows the creation of local line-ups. These local lineups can feature community access television channels next to commercial channels. Burying PEG channels as websites under a series of menus on Channel 99 is simply a business decision AT&T has made. The engineers explain that AT&T’s IP system can treat all video streams, both commercial and PEG programming, in the same quality manner.

AT&T’s digital IP based system does not relay all channels at once to subscribers like a cable television system does. Rather, subscribers request video streams one at a time – more like requesting a website on a computer. This upon request delivery method is more flexible than cable’s. The programmable nature of the entire line-up enables AT&T to create different line-ups for different subsets of customers. **Most importantly, AT&T is capable of localizing channel line-ups more easily than cable systems.**

AT&T can program individual customer boxes so that each customer sees and is able to request only those videostreams (channels) it has paid for. The same flexibility, for example, can enable the company to program all boxes in a particular zip code to receive the community access channels for that locale. The electronic program guide that each subscriber receives reflects the channels that subscriber is allowed to view.

The engineers summarize by saying, “It is technologically possible to deliver PEG programming over the AT&T video system with comparable quality and functionality to the commercial channels...PEG channels need not be inserted into the program line-up in a manner different from commercial channels.” In other words, it’s a business decision to bury PEG under a series of menus that takes subscribers over a minute to get into and out of.

- Mary Cardona

Sevastopol Community Television Moves Home

Sevastopol is a small town just north of Sturgeon Bay, in Wisconsin’s beautiful Door Peninsula. Those who drive through it are usually on their way to somewhere else, so if you haven’t heard of it, it’s because we are in the shadow of our adjacent county seat and larger community, Sturgeon Bay.

We started our PEG channel in 2002 when our local cable provider, Charter Communications, revised their subscriber network and cut off our town from the four Sturgeon Bay PEG channels we had been watching. From Charter’s standpoint, we had been poaching on someone else’s signals and they acted surprised when they got complaints from Sevastopol viewers, who no longer had any local channels to watch.

I thought we might be the smallest PEG station in Wisconsin until I met some operators of even smaller ones at the last WAPC conference. The Town pays me \$500 per month to manage the station. Additional funding goes toward recording events and meetings. Our yearly budget is driven by our franchise fee collection, estimated to be around \$18,000 next year. On the bright side, a 25% increase in basic cable charges by Charter has just been announced, and we will benefit from that unless it causes account cancellations.

Since 2002, our PEG station had been searching for a permanent home. First located in the school, then co-located with Sturgeon Bay’s PEG channels, it seemed the obvious choice to move it a third time when we built a beautiful new town hall this year, just in time for our Sesquicentennial (150 year) celebration. We set aside a small room and stuffed it with extra circuits and a giant UPS (uninterrupted power supply) during the building process. Now we have more local control and can carry our town board meetings live!

The excitement was dampened by Charter, who charged us for the entire fiber run besides the modulators needed to transmit the signal. Our view is that Act 42 requires the company to pay for the first 200 feet of fiber, but Charter said we were responsible for all of it. Tom Girman, our Cable Committee Chairman and one of four Town supervisors, lodged a formal complaint in early June with the Department of Agriculture Trade, and Consumer Protection. We expected DATCP to forward the complaint to the Department of Financial Institutions (DFI), which does not have a system for accepting complaints. When we didn’t hear anything, Tom made some calls and received a letter at the end of September from DFI saying “the municipality would have to bear some, if not all the cost in relocation of a PEG channel line.” That response did not resolve the matter one way or the other and in the meantime, we’ve paid Charter \$3,677 for the fiber run and \$3,960 for the two modulators.

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My Charter TV Installation Odyssey and Why I Never Called the State

Dave Grooman recently became the first part-time Station Manager for the Jefferson community television station. Dave needs to be able to see the station's signal in Sullivan where he lives. The only way to do that is to subscribe to Digital Broadcast Basic. Since this was written and related to his state representatives, Charter's Digital Broadcast Basic has gone up \$5 per month to \$30 for Sullivan subscribers.

The following is a timeline of my attempt to order "Broadcast Basic Cable Service" from Charter.

Wednesday, July 28, 2009

I called to order broadcast basic service from Charter with a digital box for \$24.95/mo. My installation appointment was scheduled for Friday, July 31st between 1-5pm.

Friday, July 31, 2009

At 12:30pm Friday I received an automated call from Charter saying my install was between 1-5pm and there would be another call before the tech arrived. At 1:30pm I received another automated call asking to confirm I was home.

At 5pm with no tech and no other phone calls from Charter, I called Charter to ask what was happening. They said they would try and reach the tech. The tech then called me saying he was running late and would come to my house in an hour or hour and a half. At 6:30pm the tech finally arrived. He then proceeded to wire cable to the location I needed. Upon completion, he said the 2 digital boxes he had would not power up and he would have to drop off a new box Saturday morning. He said he would call before coming. I told him he could leave the box on the porch since we might be gone. I then gave him \$60 cash for the install but he gave me no receipt and no "Welcome Packet with a channel line-up" from Charter. (I had to go on-line to try and find my channel lineup.)

Saturday, August 1, 2009

Saturday morning there was no box and no call from the tech, but I left for work thinking he would drop it off while I was gone. When I came home Saturday at 5pm, still no box and no message from the tech. I called Charter and they said they would need to schedule another tech to come and the earliest appointment was for Wednesday, August 5th. I said I already took off work Friday to get installed and even then he didn't come until 6:30pm, which was a wasted 1/2 day vacation.

Finally I spoke with a supervisor and he said he would talk to dispatch and see if the tech was in the area, otherwise I could pick up a box in Janesville. I said that would be fine.

The supervisor called back about 15 minutes later and said the tech was still in my area and he asked him to call and tell me when he would be able to drop off the box. The tech called and said he could drop off the box after he was done in about an hour and a half. At 7:30pm the tech arrived and hooked up the box but he couldn't get the box to power up. I told him he plugged it into a power strip that wasn't turned on. After he turned on the power strip, the box powered up. (When he came on Friday, he said he had a bad box because it wouldn't power up...)

So the box was powered up and the cable hooked to my tv, but there was no signal. He said he would have to call the office for them to send a signal to the box, but it's too late to

call that night because they're closed. At the time it was about 7:45pm. He said he would call the office to activate it Sunday morning and then call me to see if everything was ok.

Sunday, August 2, 2009

Sunday morning came and went without the box activated and no call from the tech or Charter. At 3pm I called Charter to ask them to activate my box and I was told by customer service that it was listed as activated in their computer. Then I got transferred to the tech service department, who told me they sent a signal and it should be activated shortly, but that it might take up to an hour. I then left and came back home at 9pm.

At 9pm Sunday night, more than 48 hours after a tech from Charter was to install my cable, there was still no cable. My box was not activated. I called Charter again and spoke to a tech from I believe their Texas call center. He tried helping me but after sending a signal several times he still could not activate my box.

What's strange is that I received a few channels but some of them weren't where they should be. I told the tech on the phone that I thought I was getting the signal from the Madison headend instead of the Janesville headend, and he agreed. He then gave me the phone number for Charter Cable in Janesville. When I called I reached Premier Bank in Jefferson, not Charter Cable.

I called back and spoke with a Charter representative from a call center in Wisconsin this time and that person was helpful but still didn't know how to fix the problem. I asked for the phone number for the Janesville office and she didn't have it. Finally with nothing else that could be done, I had to schedule another appointment.

Tuesday, August 4, 2009

Tuesday night before the tech was to arrive, I noticed a light on my cable box that wasn't lit before. When I switched over to watch Charter cable I noticed that I could now watch channel 987. Having thought the problem was fixed, I called Charter to cancel my appointment for the next morning.

Saturday, August 8, 2009

Saturday I switched over to watch Charter and flipped through the channels. Once I changed the channels I lost the signal I was getting. Now I wasn't able to see channel 987 again; it was just a blue screen. I called their 800# again and spoke to a different call center, I believe this time from New Jersey, and he looked up my account and said I couldn't see channel 987 because I didn't have a cable box. I told him I did have a cable box and he said there was none listed in my account. He asked me to read the serial number from the box and he entered it into his computer. He said he would have to activate it but it should start working again. He said the reason it was working before was that they sent a signal that only activated the box for the channel that was on at the moment. Once I switched channels I lost the activation because they didn't enter the box number in the computer.

About 15 minutes later my box was finally activated and I was able to watch Charter TV after 8 days of trying to get it to work.

I thought it was crazy to have to go through this much trouble just to get basic cable, so I called my legislator sometime during this process and told my story. The aide explained that the only action I could take was to call the Department of Financial Institutions, which I did, but I only got an answering machine. Frustrated, I just hung up.

- Dave Grooman

National Press Box

From Michigan NATOA

The Ten Disappointments of Cable Deregulation in Michigan

“PA 480 was passed with the best intentions. Cable competition was supposed to get jump-started by the new statute. In turn, cable prices were to decline and customer service was to improve. Unfortunately, just the opposite picture has taken shape.”

- October 2009

From Interlochen Public Radio

Traverse City to Sue Charter Communications

“City Attorney Keri Zeits says moving the channels will mean poor quality because FM radio signals interfere with channels 96 and 97.”

-November 17, 2009

From Extra!

Access channels offer an alternative – Putting the Public Back in Public Media

“Cable providers don’t like to give up any of their profits or prime channels, and they regularly throw heavy resources into trying to kill, underfund, or shift PEG channels to subprime spectrum.”

- Julie Hollar, November 2009

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Moving day was Tuesday, October 20. All that was left was the actual transfer of equipment and we hoped to be fully operational by the next morning. Tom and I loaded our pickups, crossed our fingers, and drove slowly, hoping that our equipment “rack”, formerly a bakery display rack, wouldn’t fly off into some cow pasture.

Our luck held, and with the volunteer assistance of another local techno-geek, Pat Judy, a semi-retired veteran musician, we unloaded everything, set up our bakery rack, and plugged it all together. What did we forget?

Not much. One DVD player, already on its last legs, decided it was a good time to permanently expire. Some new equipment we hoped to use turned out to be incompatible with the rest, but we had backups.

After testing as much as we could, we only had to wait for the following day, when Charter would flip some switches in the Jacksonport regional hub. At 11AM on Wednesday we gave the signal and Charter Headend Coordinator Matt Frakes did his magic. Video, but no sound! Try again. Now we have sound, but no video. “Hmmm...” thought Matt. Could something at the hub be mislabeled?

Apparently it was, but not to worry. In about 20 minutes, we were all set, with both sound and video, and the signal looked cleaner than before, so we were pretty happy. Break out the champagne!

Our next year’s budget has passed with funds sufficient to buy a modest video server. We can now move a few decades closer to the 21st Century and serve our public much better, broadcast more shows, and reduce the human errors that, like Whac-A-Mole, constantly pop up to plague us.

Community involvement...that’s what PEG is all about, isn’t it? In Sevastopol, our community channel brings it altogether and brings it back home.

-Laddie Chapman

Wisconsin Press Box

From the Wisconsin State Journal

Price promises of backers of cable bill fall flat

“When interests such as AT&T pushed for a bill in 2007 to open up more competition in the cable television market, the proposal’s supporters promised consumers would “see cost savings almost immediately.” Nearly two years after an intense lobbying effort helped push the controversial video competition bill through the Legislature, those lower cable prices haven’t materialized.”

- Jason Stein, October 24, 2009

From Oak Creek NOW

Residents get new way to monitor city - New video equipment will bring meetings into homes

“This is just a way to make people kind of tune in at their leisure...and watch what we do,” Mayor Dick Bolender said. “I think an informed public and an informed voter is the best thing in the world for a government to have.”

- Julie Becker, October 9, 2009

From the Wisconsin State Journal

Bill would boost public-access channels

“U.S. Rep. Tammy Baldwin, D-Madison, introduced a bill Thursday aimed at helping the struggling station [WYOU] and other public, education, and government (PEG) channels affected when, in December 2007, state lawmakers passed the Video Competition Act.”

- Samara Kalk Derby, October 12, 2009

From WisBusiness.com

Legislator looks to revise state’s cable franchising rules

“UW-Madison telecommunications professor Barry Orton claimed DFI was chosen to oversee the cable industry... because of its “ability to regulate the least” and said the PSC has the experience, procedures and staff necessary to appropriately regulate cable providers.”

-Andy Szal, November 18, 2009

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