

**Illinois House Telecommunications Committee Hearing
March 15, 2007**

Testimony by Barbara Popovic, Executive Director of Chicago Access Network Television

Thank you Rep. Brosnahan and members of the Telecommunications Committee for this opportunity. I'm the Executive Director of Chicago Access Network Television, a public access center in Chicago that has gained a national reputation for helping connect nonprofit organizations with people in need through our five local, noncommercial cable channels. I am also President of the Alliance for Communications Democracy, a national organization that participates in court cases involving franchise enforcement and constitutional questions about community media.

On behalf of the Keep Us Connected coalition, a coalition of over 250 villages and cities, PEG centers, nonprofits and institutions across the state, I want to thank you, Chairman Brosnahan, for your accessibility and openness in including our concerns as we move forward. Public, educational and governmental access, which we call PEG Access, is only one of many issues in HB 1500 of concern to Keep Us Connected. Our colleagues in the cities will testify in a later hearing and we stand with them in opposition to this bill.

I understand that AT&T is handing out a flyer that says, "If you hear from CAN TV, hit the mute button." I was speaking with Rep. Schmitz yesterday and he told me that just this past week he was at a ball game and saw Dan Shanahan of Batavia Public Access across the room. Dan waved and shouted out "HB 1500." So I guess the mute button wouldn't have helped in that case.

Dan called me when I was on my way to Springfield and said he wanted to join us but wouldn't be able to join us because he had lost 50% of his staff that week. (That would be the other guy in the office.) I am pleased that a number of my colleagues from other centers have joined me and will be available for questions after my comments. I'd like to introduce Steve Bartlebaugh of Evanston Community Media Center, Bruce Anderson of Hoffman Estates Channel 6, and Ross Rowe of Elk Grove Village Channel 6. And I want to acknowledge Terry Martin of Illinois Channel who leads a tireless and committed group of folks that document state legislative activities. Illinois Channel can be seen in 1.3 million homes in Illinois thanks to the existence of public, educational and governmental access.

If history has taught us anything, it has taught us that deregulation has its costs. And that is felt in every resident's home. Telecommunications deregulation has resulted in higher, not lower rates. But whether you believe or don't believe the promises of lower rates and more choice, sacrificing public benefits and consumers protections is too high a price to extract from the public for any deal.

HB 1500 is a bill that will change the legislative and the media landscape in this state.

And the resources AT&T is investing in the Midwest to accomplish that probably equal more than the combined resources put into public access in the state of Illinois. It's a big stakes game for business. We're here to tell you that the stakes are also high for the public.

As more of our media is commercialized, outsourced, regionalized and controlled by people far away from our hometowns, the local commitment of our channels becomes all the more important. Whether it's an urban neighborhood or a small town, we need to have local media resources like PEG Access.

AT&T has represented that it is taking care of PEG Access with this bill. The bill as drafted doesn't come close to doing that.

HB 1500 has NO provision for protecting channel capacity allocated in cable agreements or increasing PEG capacity above the number of currently activated channels.

PEG channels in jurisdictions that currently have no channels will not get any. As Rep. Bost knows, that will shut down the efforts of a channel incubating in Cardondale.

At last week's hearing, Rep McCarthy's questioning illustrated how the restriction against repeating programming will shut down channels in his district and throughout the state. This language suggests that repeating content is good enough for HBO and Coca-Cola, but not for our health groups, educators and public officials.

The bill says AT&T will make "reasonable, technically feasible efforts" to transmit and interconnect our channels. Parkland College relies on interconnection to send its educational programming throughout the Champaign/Urbana area. "Reasonable, technically feasible efforts" is lawyer speak. It leaves lots of wiggle room. What we need our legislators to insert into this bill are three simple words, "Just Do It."

We are also concerned that there is no timeframe for hooking up PEG channels. AT&T acknowledges that it hasn't yet hooked up a single PEG channel after having gotten its first statewide franchise over 16 months ago.

Ask our Chicago legislators whether people watch CAN TV. They do. And one of the reasons that they do is that PEG channels are carried by cable systems in the same format and with the same signal quality as commercial broadcasters. I've sent AT&T some technical questions about how it plans to hook up PEG. But I think the solution is simpler than any explanation they will provide. If AT&T is matching what cable does, then PEG Access will be handled in the same way as ABC, NBC and CBS. AT&T told you last week that it is offering the state cutting edge technology. There is no excuse for there to be any erosion in quality for PEG access from the quality standards we enjoy on cable systems today.

AT&T has taken a step in the right direction with the provision of 1% of gross revenues for PEG above the 5% franchise fee. But then that funding is eroded elsewhere in this

bill through reductions in franchise fees, charges to PEG centers for carriage, and reductions in support from existing cable operators. Most importantly, centers with funding beyond the 1%, like Urbana, will experience significant cuts. If language remains as written, Urbana loses over 50% of its funding, CAN TV will lose over a quarter of a million, and the carriage fees can wipe out any benefit from the 1% in small towns.

I've read the legislation passed in other states. Everyday we hear more about the fallout from decisions made hastily and without full consideration for the implications for the public. The people of Illinois deserve better.

HB 1500 can do one of two things: It can put PEG Access on life support with mechanisms for pulling the plug. Or it can reinvest in the local community and the many people in Illinois who rely on this resource as the only and last local television media by making sure that community programming grows and thrives in the future.

Thanks for the opportunity for all of us to come before you today.