

AT&T's U-verse service gives short shrift to public-access programming

Illinois Attorney General Lisa Madigan joins investigation of its practices

By David Greising
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AT&T has cutting-edge technology and a beefy balance sheet, but the company's handling of community programming channels in Illinois and other states is putting a big black blot on its sky-blue logo.

At the heart of a growing controversy are questions about whether AT&T's U-verse service, a marvel of modern technology that pipes 320 channels of television programming over phone lines, violates state law and federal rules requiring fair treatment of community programming. The fight over U-verse, still in its early stages, shows what happens when corporate power runs up against entrenched community opposition.

Federal and state laws require AT&T to give community programming similar access to what the other channels on its U-verse service get. AT&T believes it does so, but advocates for public access make a compelling case when they argue that the communications giant falls short.

Anyone who has used U-verse, as I have, knows that public, educational and government programming is consigned to a digital ghetto that makes public programming hard to use. Viewers must go to the dreaded Channel 99, and from there navigate toward the towns they want. While U-verse subscribers can digitally record up to four programs at once, they cannot digitally record from Channel 99. They can't even plan their

viewing, because the digital guide available for all the other U-verse channels is not available for public, educational and government programming.

None of this is a big deal for the vast majority who are satisfied with their U-verse service so long as they get "American Idol" or Fox News. Let Man keep fighting Wild, stop Hell's Kitchen from freezing over, and these people are happy.

Then there are the wonkish types whom fair-access laws are designed to serve. They want to see their neighbors argue at school board meetings. They yearn to watch the town council give tax breaks to the local developer. They might need a warning about hazardous weather or helpful information about AIDS prevention.

In the year since it launched U-verse in Illinois, AT&T has scrambled to convince everyone that the service complies with state and federal laws. The company spokesman I talked to kept boasting that U-verse offers "enhancements" to normal cable fare—enabling viewers to see town hall meetings from towns they don't even live in, for example.

Now community groups and pesky reporters aren't the only ones asking questions. Illinois Atty. Gen. Lisa Madigan has launched an investigation of the complaints. And the Federal Communications Commission is reviewing a petition, issued last week, in which a coalition of

thousands of towns, schools and community groups demanded a ruling declaring AT&T in violation of rules about fair treatment of public programming.

Some communities have taken matters into their own hands. Glenview, Mt. Prospect, Geneva, Aurora, Hoffman Estates, Wheaton and a handful more have refused to beam programming to U-verse at all. My town, Evanston, is one holdout.

"For every municipality that says, 'OK, we're going to put up with this,' AT&T can say, 'See, they're satisfied. This service is great,' " said Howard Kleinstein, cable production coordinator for Mt. Prospect. "It allows them to continue their bad behavior."

Public TV may seem a minor concern at a time of a global economic crisis, when Illinois' new governor is sorting out the state's unique troubles, when citizens can barely keep track of which Obama Cabinet members paid all their taxes and which did not.

But public programming is vital. And any company that can deliver 320 commercial channels over a phone line can get community programming to subscribers on equal footing.

That was the commitment AT&T made when it launched U-verse in Illinois and other states. That's the promise AT&T should keep.