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Lawmakers Press FCC On AT&T's Public Program Offerings

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WASHINGTON -(Dow Jones)- Members of a powerful House committee are pressing the Federal Communications Commission to put a stop to how [AT&T Inc.](#) (T) offers public and educational programming on its fledgling paid TV service.

While FCC commissioners have yet to weigh in, an FCC bureau chief said Wednesday that [AT&T's](#) practice of placing public programming on a single channel where subscribers scroll through a menu of options violates the law.

"I would be anxious to place this issue in front of the commissioners for them to decide, with our view that this would be a violation of the statute," FCC Media Bureau Chief Monica Shah Desai said at a hearing.

Rep. Jose Serrano, D-N.Y., who chairs the House Appropriations Financial Services Subcommittee, said [AT&T's](#) method falls short.

"Many concerns have been raised that this approach makes the channels more difficult to view, offers inferior quality and results in the loss of features such as closed captioning," he said.

Subcommittee member Mark Kirk, R-Ill., said [AT&T](#) wouldn't get help from Republicans. "I'm completely with you on nailing [AT&T](#) with what they're doing over public access," he said. "It does appear that [AT&T](#) is in violation of Illinois law. We need to make sure that there is a very convenient place, especially for our seniors, to find out what's happening in their community."

Desai said the FCC hasn't yet taken action against [AT&T](#) because complaints haven't been filed. "We need something to act on," she said.

"I'll file a complaint this afternoon," volunteered Barbara Popovic, executive director of Chicago Access Network Television, who testified on behalf of the Alliance for Community Media and Alliance for Communications Democracy.

"The subcommittee will put the subject on the table with the FCC. That's a commitment right now," Serrano said.

[AT&T](#) was invited to testify at Wednesday's hearing, but a company official wasn't available, according to Serrano.

The subcommittee also is concerned that traditional cable providers are relegating public and educational programming to channels outside of the basic service tier, but Serrano told Dow Jones after the hearing that he is more concerned about [AT&T's](#) method of offering such programs.

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"Some of the complaints, the heavier complaints, were about AT&T. We invited them and they didn't come," Serrano said.

From traditional cable, the subcommittee received a commitment from the National Cable and Telecommunications Association that public programming would remain on basic TV service channels where required by local governments.

AT&T did provide the subcommittee with a seven-page written statement describing its U-Verse TV service, which is based on Internet protocol technologies.

Unlike with traditional cable, the statement said, AT&T's U-Verse service collects all local programming at one video hub within each market. AT&T has designated Channel 99 for public programming, described as a "prime location" because that channel bridges the local and national station lineups.

At Channel 99, an AT&T customer sees an alphabetical listing of all the cities with public, educational and government programming, sometimes called PEG programming.

AT&T argued that its method of offering public and educational programs is superior to traditional cable because it provides a wider range of options. "U-Verse subscribers will be able to keep track of events in surrounding communities, where they might work or attend school, or where family members or friends live," the statement said.

AT&T also noted that it has worked with local government officials in developing its product. "In response to municipal suggestions, AT&T added a PEG menu tab on the U-verse main menu."

As a result of those conversations, AT&T customers now can access public programming from both the main menu and Channel 99.

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