

December 16, 2008

Re: Agenda item 36 and related matters

Dear Mayor and members of the City Council:

While Agenda item 36 addresses an important aspect of continuing Public, Educational, Governmental (PEG) cable access, it does not address the immediate crisis facing public access television.

Currently, over 80 producers, representing every neighborhood and segment of Long Beach society, broadcast weekly over channels 65, 69, and 95. On January 1, 2009 the franchise agreement between the City and Charter Communications ends. The Community TV production facilities on Redondo Avenue will close. No provision has been made to broadcast community television to the residents of Long Beach on these channels. By contrast, the City of Long Beach has contracted with Charter to provide continuing cable access on Channel 8 and the library channel and LBUSD has contracted to keep access for its cable channel.

Using public funds to fund only the government channels and not the channel that neighborhood and community producers have access to clearly violates the letter and spirit of state and federal law ensuring that where PEG access is provided, the public gets more than just the "G" of PEG access.

According to the wording of the Digital Infrastructure and Video Competition Act of 2006, any PEG channel that is not utilized for at least **eight hours** per day, as measured on a quarterly basis may revert to the cable provider for its own programming. PUC Section 5870 (e). While the channel may be retrieved ultimately if specific certifications are made, we all know it is harder to regain something than to keep something from being lost in the first place. Without any plan to continue LBCT programming as of 1/1/09, public television will be lost at least in the short term. Verizon Cable network is also mandated to provide bandwidth for all PEG channels as of 1/1/09, under this law.

Immediate solutions:

1. The City Council must request a contract with Verizon and Charter Cable Networks to receive the broadcast from Community TV. This is the same as the contract the City has to broadcast the Government Channel 8 to these two Networks. This transmission will be to broadcast over Channels 65, 69 or 95, our usual stations.
2. Community TV should temporarily use the funding for and equipment now used by the Library Channel to pay this transmission fee and for the equipment needed for the transmission to the broadcast station. Transmission can go out from Channel 8 or from the Library.
3. The Long Beach Television Producer's Association will continue to provide programming for the Community TV Channel and needs direction from the City Communications office, on when

and where, and in what form it should deliver the program materials, for broadcast (from Channel 8 or from the Library, for transmission on January 1, 2009. The City Council needs to direct these City Employees to assist the Producer's Association representatives, with this information. The Producers Association will not need to do additional programming during this initial period but will instead use existing shows on DVD or other format. Producer representative Karen Ashikeh, in conjunction with other CTV Producers, will assume responsibility for ensuring that sufficient program slots are filled and materials delivered to the designated transmission location.

Intermediate Needs:

In 2009, when the City Communications Office prepares a budget for how to spend PEG monies, the Community TV Producers should be allowed to submit a proposal for funding for studio construction and equipment needs. The "in-kind" funding in this proposal will allow us to do fundraising for production staff.

Community TV Producers will work with the Library Channel to develop programming so they do not lose the Library Channel and have sufficient unique broadcast material to comply with requirements to keep their Channel in the future. Funding for broadcast of both channels, the library Channel and the Community TV Channel should be part of the budget for use of Cable funds presented in Spring 2009.

Long Term Needs:

Community TV Producers are willing to work with the City Communication Department to meet the needs of all our broadcast stations in PEG network. Creation of a media Center in Long Beach for all PEG Channels to produce and broadcast should be a joint effort by all aspects of PEG communication, Public Access, Education and Government.

Karen Ashikeh
Spokesperson for the
Long Beach Community Television Producers Association
(562) 590-3739