

Wisconsin Community Media

Featuring the best of Wisconsin communities!

Why Wisconsin's District 7 needs the CAP Act

The **Community Access Preservation Act**, H. R. 1746, supports Wisconsin's communications network by supporting the non-profit television stations that focus entirely two things: covering community life and training residents to tell their own stories using media. *Despite what any state law might say*, this federal bill requires local public, education, and government access (PEG) channels to be carried "without material degradation" on the most basic tier of cable service, enables cities to collect dedicated "PEG" fees for community television from cable subscribers, requires video providers to supply transmission lines, enables cities to request additional channels, and makes it clear that all video providers are subject to federal cable law.

Why we need this bill.

In December 2007, the Wisconsin State Legislature passed a law called the **Video Competition Act**. *The state law denied cities the right to create cable franchises under long-standing federal law.* Current federal law allows cities to collect dedicated PEG fees for community television and pass ordinances to ensure local PEG channels are carried without reception problems on the basic tier. However, cities in Wisconsin no longer have these rights because of the Video Competition Act. Instead, Wisconsin has a weak one-size-fits-all state-level license. As a result of this state law, cities have lost a source of revenue (the PEG fee) and some cable operators have begun charging cities for local programming transmission lines and cable television service at the commercial rate. Community channels have been moved to out-of-the-way frequencies where reception problems are common. In short, the state's Video Competition Act has damaged the ability of most community television stations to serve our communities and dealt a crushing blow to several. Here is how it has affected our member stations in Congressional District 7.

About community TV in District 7 and how state law harms these stations.

Rice Lake Community Television

Director Mick Givens 715-234-8077

Rice Lake Community Television is open to the public during regular business hours and by appointment. Residents are trained at no charge to use the studio, editing, and portable video equipment to produce programs of their own choosing. Shows include services from all area churches; sports, including football and girl's basketball; public library programs; events hosted by the Barron County Veterans, Rotary Club, the Main Street Association; and in-studio talk shows like the weekly "Rice Lake Today." City residents can request the station to play programs and, like all access channels statewide, airtime is free. The one full-time and two-part time staff members cover city council meetings and community events. Before the state franchise law took effect, the City of Rice Lake collected a dedicated PEG fee from cable subscribers that was used for capital equipment purchases. The monthly 36-cent fee funded 11% of its budget. The City will not make up that loss out of its budget. Charter moved the Rice Lake access channel to out-of-the-way 97 (analog customers) and 992 (digital customers) with reception problems continuing in some areas.

Stevens Point Community Television

TV/Website Coordinator John Quirk 715-346-1535

Stevens Point Community Television is managed by the City of Stevens Point. Its one full time and two part-time staff members provide the city and county with production services including covering meetings and community events. Every resident is granted one free hour of production time every year. However, by paying a \$20 annual fee, residents can become Community TV Certified Producers, able to use the station's equipment more often and take training courses. Programs are accepted for the channel when there is a local community member willing to "sponsor" it -- that is, publicly take responsibility for the program. More than 300 programs are produced annually. Charter moved Stevens Point's channel to out-

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of-the-way channel 95 and 984. The digital access channel blacked out on weekends early on, but since then, reception has been good. Stevens Point used to collect a 40-cent monthly fee from cable subscribers, which was used for equipment purchases. This fee comprised 16% of the station's budget; unfortunately, the city has not been able to make up the loss.

Superior Community Television

City Clerk Terri Kalan 715-395-7200

Superior Community Television serves Superior and Lake Nebagamon with channels 7, 16, and 20 on the Charter cable system. Channel 7 is seen in the Duluth market on PACT TV's Channel 14 and Channel 16 originates from Duluth with community announcements inserted from Superior. With the assistance of community producers trained at the station, the part-time manager covers city and county government, the school district, and events. Meetings are covered live. The station is based in the public library and during library hours, community producers have access to a wide variety of video production equipment including editing and portable cameras, tripods, microphones and mixers. Besides producing programming in-house, residents frequently submit programming for play on the channels and it ranges from Douglas County talk shows, to music in the park to children's shows. Like Stevens Point and Rice Lake, Superior collected a small PEG fee from cable subscribers to support the purchase of equipment that amounted to \$30,000 annually. When collection of the fee ended, the station lost one-third of its annual income.

Marshfield Community Television

Director Dan Kummer 715-207-0379

Marshfield Community Television produces television programs for the public, the local school district and the city. MCT's staff of one full and three part timers also teaches video production and provides local residents with assistance in using a studio, editing equipment, and portable production equipment for an annual membership fee of \$15. These locally-produced shows appear on the channel alongside other shows submitted by locals for play on the channel. After passage of the state franchise law, Charter Communications moved the local channels from two long-held locations on 3 and 10 to the 90's (analog customers) and 900's (digital customers), where they have been plagued with reception problems. The City of Marshfield has always dedicated all the cable television franchise fee revenue to community television and is committed to continuing to do so.

Merrill Productions

Instructor Deb Brunett 715-536-2559 x 3108

Merrill Productions is based in Merrill High School, where students take the media production class and volunteer to produce programming and bulletins for the channel. Students learn studio and on-location video production, digital graphics, and editing, then cover events such as city council and school board meetings; sports; band and choir concerts; parades; dedications; and the county fair. During the summer, an all-student crew manages the channel. The channel is a partnership between the school district and the city, with the district funding the teacher position and housing the station and the city providing the rest of the budget. Because of financial pressures facing both the city and school district, the teacher/station manager has seen her course load increase, and time for the channel decrease. When Charter Communications moved Merrill's channel from its long-time position on channel 3 to channels in the 90's and 900's, reception problems became frequent.

River Cities Community Access

Director Tom Loucks 715-423-0441

River Cities Community Access is *the* communications portal for the Wisconsin Rapids area and it is entirely supported out of the city's 5% cable franchise fee. Heavily used, the channel carries programming from 6:00 a.m. to 11:00 p.m., repeating programs only once or twice during the week. RCCA covers the Wisconsin Rapids city council and six committees, the meetings of three area school districts, the Wood County Board, and the meetings of several small towns for a small (\$20) fee. Many local figures have regular shows including the Mayor of Wisconsin Rapids, the Chief of Police, the Sheriff, and the three school superintendents. Area non-profits use the studio including the League of Women Voters, United Way, and the Rotary Club. Area church services and high school sports are very

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popular. The station also provides timely reports on severe weather, school cancellations, and other emergencies. Residents can learn television production and volunteer at the station. RCCA can be seen on the Solarus cable system on channel 3. Reception there has always been excellent. On Charter, however, RCCA was moved from channel 4 to 96 and digital channel 985. In these locations, there have been chronic reception problems. Because there is so much programming, RCCA would like to move the government programming to a separate channel. However, under Act 42, Wisconsin Rapids is not entitled to receive an additional channel.

Wisconsin needs the CAP Act (H. R. 1746).

Under the federal Cable Communications Act, every local government was granted the authority to negotiate support for community television to "meet the needs and interests of the community." That federal directive has been entirely undermined by Wisconsin's state franchise law (2007 Act 42). The CAP Act would restore key powers to cities as found in federal law.

The state franchise law usurped federal law by ending the collection of PEG fees that Stevens Point, Rice Lake, and Superior relied on. **The CAP Act would require states to allow cities to collect PEG fees that could be used for either capital or operating expenses.**

The state franchise law lacks technical requirements and does not require companies to make the channels accessible to all subscribers. Wisconsin community television stations are plagued with reception problems in out of the way locations. **The CAP Act would require companies to carry local programming without "material degradation" and in a manner viewable by every subscriber.**

The state franchise law does not recognize that individual communities have differing needs. **The CAP Act would require the FCC to study how the one-size-fits-all state franchise laws have affected community television in individual communities.**

The state franchise law allows cable operators to charge cities for building new origination lines for local programming. The CAP Act would require operators to supply the lines free of charge.

The state franchise law allows cable operators to reject requests for additional local channels, except under highly unusual circumstances. **The CAP Act would allow cities to request additional channels, when needed.**

If you support the work your community television station, help it do even more for your community. Contact your U. S. Congressman and ask him to support H.R. 1746, "the CAP Act."

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Support the Community Access Preservation Act H. R. 1746

Co-sponsored by Rep. Tammy Baldwin (D-WI) and Rep. Steve LaTourette (R-OH)

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