

RESOLUTION 129
RESOLUTION FOR UNIVERSAL ACCESS TO PUBLIC, EDUCATIONAL
& GOVERNMENT CHANNELS AND SUPPORT OF H.R. 3745

WHEREAS, On June 8, 2010, Charter Communications, Inc. transferred STL-TV (St. Louis government), SLPS-TV (St. Louis Public Schools), HEC-TV (higher education), KDHX (Double Helix Public Programming), and C-Span2 to digital channels on the 980-998 public affairs neighborhood. At the same time EWTN-TV (Catholic Programming), and the weather and channel selections channels were all moved from easy accessibility by Basic Tier Cable users; and

WHEREAS, Public, Educational, and Governmental (PEG) Programming Channels play a significant informative, educational and participatory role in our democracy and in the City of St. Louis; and

WHEREAS, "Information is as vital to the healthy functioning of communities as clean air, safe streets, good schools and public health", according to the Knight Commission Report, On the Information Needs of Communities in a Democracy, December 2009); and

WHEREAS, the movement of these PEG channels limits public access by placing an unnecessary barrier to access, whose only apparent purpose is Charter Communication's profit -- and even that could backfire, if customers leave them. Charter's customers are blocked from accessing these PEG channels unless they purchase monthly digital box services or buy a digital television; and

WHEREAS, it is critical to a well-informed and participatory democracy that we assure equal access to PEG channels and preserve service provider funding for PEG channels, so that these channels continue to be available to the entire community and to serve the residents of the City of St. Louis in the manner in which they have become accustomed; and

WHEREAS, there is currently pending before Congress H.R. 3745, which would establish the Community Access Preservation (CAP) Act; and

WHEREAS, the CAP Act would amend the Communications Act of 1934 to provide for carriage and display of PEG channels without additional charges, and via channels whose quality, accessibility, functionality and placement is consistent with commercial channels; and

WHEREAS, the CAP Act would preserve PEG channels and the much needed funding for PEG facilities and operations, and ensure that the channels continue to be available to the entire community; and

WHEREAS, the CAP Act would provide important solutions for critical and immediate financial needs of PEG channels and facilities by unrestricting the use of PEG franchise fees for any PEG related purpose; and

WHEREAS, the CAP Act would require the Federal Communications Commission to submit a report to Congress relative to the impact of state video service franchising laws on PEG cable systems and channels since 2005; and

WHEREAS, in states that have enacted state level franchising laws since May 31, 2005, the CAP Act would require each cable operator to continue to provide financial and infrastructure support and channel capacity based on the support historically provided by the cable operator; and

WHEREAS, the CAP Act ensures technological neutrality by applying PEG requirements to all landline video service providers, regardless of the transmission protocol.

NOW THEREFORE BE IT BY THE BOARD OF ALDERMEN OF THE CITY OF ST. LOUIS, that we pause in our deliberations to support H.R. 3745, which would establish the Community Access Preservation (CAP) Act and amend the Communications Act of 1934 to provide for carriage and display of public, educational, and governmental

(PEG) channels in a manner consistent with commercial channels. We further urge our U.S. Congressional Delegation to take all possible actions in support of the passage of H.R. 3745, including but not limited to endorsing, co-sponsoring, working for rapid passage, and voting for H.R. 3745. We further direct the Clerk of this Board to prepare a copy of this Resolution and mail it to each member of our U.S. Congressional Delegation: Senator Christopher "Kit" Bond, Senator Claire McCaskill, Representative William "Lacy" Clay and Representative Russ Carnahan.

Introduced on the 25th day of June, 2010 by:

Honorable Craig N. Schmid, Alderman 20th Ward

Adopted this the 25th day of June, 2010 as attested:

David W. Sweeney
Clerk, Board of Aldermen

Lewis E. Reed
President, Board of Aldermen