

***"Securing Media Democracy Through Regulatory Structure:
The PEG Television Access Model"***

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The organization I represent, the Alliance for Community Media, was founded twenty-seven years ago in 1976. This national non-profit organization began with the simple notion of "media democracy." Media democracy works to guarantee access to electronic media for everyone: regardless of the platform; regardless of the delivery system; regardless of the technology. In the United States, we believe this notion is rooted in our Constitutional guarantee of freedom of speech. We believe that all people have the fundamental right to see, to hear, to speak and to access information regardless of their life circumstances, their political or religious beliefs or their ability to pay.

In a perfect world, this is the way it would be everywhere, but we do not live in a perfect world. Thousands of media activists throughout the United States have spent many years and put forth much effort in order to succeed in securing almost 5,000 television channels on cable systems for community use. As Executive Director of the Alliance for Community Media, I represent more channel capacity than all the major television networks and the Public Broadcasting System combined. Sometimes I am surprised at the depth of our power and the range of our capabilities.

This reservation of channel capacity for community use has come about because common people worked for a regulatory structure that allows local government to require cable operators to provide channels for Public, Educational and Governmental use. We call these channels Public, Educational and Governmental access or PEG. Individuals and community groups use public access; Educational access is used by school districts, community colleges and universities; Governmental access is used by local government agencies such as police, fire and health departments and for coverage of local government meetings.

Local governments are also able to require a franchise fee of up to five percent of the gross revenue of the cable operators to fund these operations. Local governments are able to require cable operators to provide buildings and equipment to PEG access television through franchise agreements.

Because the federal law that allows local governments to require cable operators to provide channels, operating funds, buildings and equipment to PEG access television is "permissive" rather than "mandated," we are in a continuing political struggle to protect PEG access television. My organization has a yearly budget of \$500,000, while the cable operators have yearly revenues of over \$65 billion dollars. So you can see we are truly in a "David v. Goliath"

political situation, the small man fighting the Giant. Along with having to make sure the cable operators live up to their agreements, we have to make sure that local politicians and regulators provide for PEG access. Politics being what they are and politicians being who they are, this is never an easy endeavor.

Unique in this structure is Public access, a forum for individuals and community groups to speak without censorship. This allows individuals and community groups to provide information that may not be provided anywhere else in media. We now have about one million hours each year of original programming being created on Public, Educational and Governmental access. It is a rich tapestry of ideas and creativity, one that greatly contributes to the quality of life of our communities.

These dedicated media democracy activists have also succeeded in obtaining four percent of the channel capacity on United States satellite delivery systems for educational and informational programming. And in the state of Vermont, they have succeeded in obtaining 10% of the broadband capacity for Public, Educational and Governmental use. This 10% reservation of Broadband is something we hope to gain national legislative support for in the next few years. Additionally, they have worked to gain low power (ten and one hundred watt) Frequency Modulation (F.M.) radio licenses for neighborhood and community use.

While much of the Alliance's efforts is concentrated on PEG access television on the cable systems, we have to monitor all telecommunications regulation, whether it is Internet, telephone, satellite, broadcast or wireless. The reason for this is because media consolidation in the United States has become a "runaway train," a force that is uncontrollable. The large media companies are working hard to make sure all forms of communication are regulated in the same way. They are working to make sure there are no regulations at all.

A few years ago when AOL bought Time Warner, I told a colleague that it marked the end of the Internet. She thought I was exaggerating. But I think I was right. The convergence of technology through broadband applications dilutes what had been the unique character of the Internet, that being a source of information and the free exchange of ideas between groups and individuals, into a primarily entertainment platform. I believe that once we have full convergence of television, Internet and telephone, the Internet will become mostly a support system for mass media rather than its own independent communication system. Internet will be television and television will be the Internet.

Convergence technology and the full integration of broadband will also give media corporations tremendous power to decide what information we will be able to obtain, particularly in regard to cable broadband, with its ability to cache (collect digital signals) at the curbside and to regulate the flow of information up and down the system. A worldwide media democracy movement is becoming ever more critical as technologies expand the ability to communicate and media corporations consolidate and become global. It is even more important as technological advances allow media corporations to control not only the delivery systems, but the content and speed of the information on those systems and the ability of the user to access information. The push for media democracy is essential as convergence technology allows voice, video and data to be

delivered simultaneously, primarily through the most available of media systems, the television set in your home.

This converged media, whether through cable or wireless promises to be fully user inter-active. This brave new world of interactivity now centers around increasing consumer markets, turning all of us into non-stop, twenty-four hour a day, seven day a week buyers of goods. Globalized media corporations speak today of a "walled garden" of voice, video and data, and they are working on their ability to keep you and me inside that walled garden so they can deliver their commercial messages to us. In this model, we are consumers and they are the providers of "product." Not information but "product."

This conference and others happening around the world, is where there is talk about the non-commercial uses of converged technology and its ability to: empower citizens to participate in governance more fully; access educational opportunities and life-long learning; gain critical health information; solve social problems of population, poverty, transportation and political isolation.

Our biggest challenge is how do we move this discussion to reality? How do we create the political will to make sure that we have broadband set-aside on all platforms? I told you earlier that the cable industry in the United States has \$65 billion a year in revenue. When I go to United States Congress to visit our legislators, or I go to the Federal Communications Commission (FCC) to lobby the Commissioners, I am very aware that the cable industry has lobbyists at the United States Congress and at the FCC all the time. On our side there is me and a few people from a handful of groups supporting the public interest. On their side are hundreds of lawyers and lobbyists and millions of dollars spent. In Los Angeles, California, the cable industry spent \$800 million dollars in one year lobbying the politicians and regulators. In the case of the Alliance, the only way we win is by organizing, organizing, organizing. Our power is "people power."

Media activists in the United States take very seriously their call to action. Media activists know that it is primarily American corporations that are expanding globally. We know that if we do not fight for justice in the United States we jeopardize the ability of all people worldwide to have media democracy.

What do we want? We want minimum standards of broadband set-aside; we are working for 10% of the capacity. We want our own "walled garden," a green-space of broadband on all platforms that cannot be influenced, touched, programmed or controlled by the telecommunications corporations.

We want our fair share of the revenue to come back to the people of our towns, villages and communities. 5% of the gross receipts of telecommunications operators is not too much to ask. After all, they are using our streets, our airwaves, our Space, to make their money. 5% would help developing countries build telecommunications infrastructure. 5% would help us establish telecommunications training centers to educate people, grow economies, provide work training and stimulate productivity. 5% would help us close the digital divide. 5% would make sure that we could establish media centers around the world to make sure that everyone can create and

access social, civic and educational information. The Public, Educational and Governmental (PEG) access television model has been around for 30 years in the United States, we have already proven that our model greatly contributes to the economic and social health of a society.

Left without control, telecom providers will do the least they have to do in order to gain the greatest benefit. They will pluck the "low-hanging fruit" of wealthy nations and ignore the needs of the impoverished nations. I would argue that it is not the job of corporations and commercial interests to create a world in which there is parity in access to communications, it is not the job of corporations and commercial interests to promote media democracy. If we are to have a world in which access to information is an international and fundamental human right, it is our job as interested citizens and community leaders to make it happen. We must create domestic and international policy to bring about communications equality for all people. We must ensure that technology is a means to an end not the end itself. We must envision technology as a vehicle rather than a destination.

The international situation concerns me. The International Telecommunications Union, acting for the United Nations, serves as a quasi-governmental agency and is the host of the World Summit on the Information Society being held in Geneva in December 2003 and Tunis in 2005. The ITU website contains a page called "Indicators Useful Sites and Links." The page provides telecommunications statistics provided by "ministries, regulatory agencies and industry associations as well as international organizations and consultancies." But when I look at the list of links for statistics in countries and regions, I note that most of the links are to industry association Internet websites. For example, for the United States, the ITU lists the FCC and the Cellular Telecommunications and Internet Association (CTIA) as the resources for statistics. The CTIA is clearly a telecommunications industry giant that complains that "*government officials still have a top-down, anti-monopoly approach to regulating telecommunications services by imposing additional taxes and other costs.*" Besides being "pro-monopoly" the CTIA also advocates for removal of all regulation in order to promote consumer rights. Where are the voices of public interest or the links to public interest websites at the ITU? And if the industry is informing the ITU and the ITU in turn is informing the United Nations, then it looks like we have a lot of work ahead.

One of my members, Mr. Dirk Koning, has been quite active in trying to assure that the Alliance for Community Media and other media activists have a voice at the summit in Geneva. At our International Conference this July, there will be meetings held to discuss the summit and how to increase participation by media activists. It is obvious to me that we have to make our ideas heard, the ideas being presented here at this conference and others like this one, or the telecommunications industry will not be made to consider the public interest.

I hope that I have given you some new information and ideas that you can use in your own countries. I think you all deserve applause and recognition for your dedication to telecommunications issues and media democracy. And I hope that you will consider the Alliance for Community Media is your ally as you work in your own communities and countries to secure the ideals of democracy for everyone