



Alliance For  
Community Media

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October 28, 2010

The Honorable Julius Genachowski  
Honorable Michael Copps  
Honorable Robert McDowell  
Honorable Mignon Clyburn  
Honorable Meredith Attwell Baker  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Petition for Declaratory Ruling Regarding Public, Educational and Governmental ("PEG") Access Channels, MB Docket No. 09-13, CSR-8126, (ACM et al.)**

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn and Baker:

On behalf of the Alliance for Community Media ("ACM"), and Public, Educational and Governmental ("PEG") channel operators, community programmers and PEG viewers across the nation, I write to request your attention to the Alliance's PEG petition referenced above. While the Alliance understands the numerous demands for Commission attention, the Alliance's Petition has been pending for almost 22 months. In those intervening months, PEG channels have suffered discriminatory treatment by cable operators ranging from being moved to digital formats not accessible to all consumers without special equipment, to an increasing number of PEG channels being moved off the traditional channel line up and onto a web stream menu. As a result, PEG channels have lost viewers and sponsors, resulting in decreased revenue stream.

The attached chart is an attempt to graphically demonstrate how long the PEG community has awaited Commission action on this petition. For instance:

- In a little over half the time that the ACM Petition has been pending, the Commission conducted thirty-six (36) public workshops, nine (9) hearings, issued thirty-one (31) public notices and reviewed some 23,000 comments totaling 74,000 pages from more than 700 parties and issued a National Broadband Plan.
- The Petition has been pending more than three (3) times longer than the Commission provides itself to review a merger request.
- The Petition has been pending over four (4) times longer than the time that the FCC has given a local community to act on a new cell tower siting application

and over seven (7) times longer than the FCC has given a local community to act on a co-location cell tower application under the FCC's Nov. 18, 2009 Declaratory Ruling.

- The Petition has been pending over seven (7) times longer than the FCC has given local communities to act on competitive cable franchise applications by local telephone companies, and nearly four (4) times longer for the applications of others, in 47 CFR Section 76.41d.

We know that the Commission shares our goal that local residents should be able to easily find and receive local community programming and critical community information. We respectfully ask that you act decisively to assure that any practices that unfairly discriminates against PEG channels is stopped. You can do so by granting ACM's Petition.

Sincerely,



Sylvia Strobel  
Executive Director

Enc.

Cc: Sherrese Smith, FCC  
Marilyn Sonn, FCC  
Joshua Cinelli, FCC  
Rosemary Harold, FCC  
Eloise Gore, FCC  
Brad Gillen, FCC  
Krista Witanowski, FCC  
Bill Lake, FCC  
Nancy Murphy, FCC  
Michelle Carey, FCC  
Marybeth Murphy, FCC  
Susan Aaron  
Dave Grimaldi, FCC  
Holly Saurer, FCC John Norton, FCC  
Debra Rogers, Chair of the Board, Alliance for Community Media

