

**Trustees 2014-15**

Lee Beckerman-2015  
 Nick Besink-2015  
 Bob Duthaler-2014  
 Dave Garb-2015  
 Stephanie Gibbons-2014  
 Debbe Gist-2015

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**Meeting Schedule**

**Sept. 24- Bloomfield**  
**Presentation-Broadcast Pix**  
**Oct. 29- Metuchen**  
 Presentation -Rushworks  
**Nov. 26- Montclair**  
 Presentation- Castus  
**Dec. 10- Annual Meeting**  
 & JAM Awards Dinner at  
 Spain Inn, Piscataway  
**Jan. 28- TBA**  
 Presentation-JVC  
**Feb. 25- TBA**  
 Presentation-TelVue  
**Mar. 25- TBA**  
 Presentation-TBA  
**Apr. 30- TBA**  
 Presentation-TBA  
**May 28- TBA**

*Your Municipal Communication Resource*

**Connecting Your Town to Your Residents**

**PRESIDENT'S MESSAGE**

Back To School Specials

Fall is fast approaching, so you know that means back to school for the kids. It also means back to school for us JAG Members as well. How you may ask? Well, our monthly General Membership Meetings are a learning experience as well. It's a time for us to share new things, learn about the latest legislation pending, learn about new shows being shared and a whole lot more.

One of the many learning opportunities that present itself at JAG Meetings are when vendors come in and educate us on the latest technology, its use in our industry and the ability to get a hands-on-approach in an intimate setting. This is a tremendous "Member Benefit" you get when you attend a JAG Meeting.

September's JAG Meeting will be such a time for you to see the latest production switchers being demonstrated by Broadcast Pix. Some of the new features include live streaming capability, real-time graphics, PIP and Effects, Keying, Video Clip Playback, Still Store and a lot more. Some units have built in recording and audio mixing as well – all with a very intuitive control panel.

The learning continues throughout the upcoming months as well. In October, Rushworks will give a presentation on their latest production equipment packages and video playback servers. See why they have won numerous awards at NAB for outstanding video technology. In addition, November presents itself with several learning opportunities. The JAG meeting will have another company, CASTUS on hand to demonstrate their video playback server. The company grew out of PEG Access Production People who wanted to create something specific for our market. Plus the New Jersey League of Municipalities presents itself as a great source to learn. JAG will be hosting two sessions: Franchising and Social Media. These are two "must attends" for stations looking to negotiate their franchise in the upcoming years and those who are now or are thinking about engaging in social media – Facebook, Twitter, YouTube and more.

So enjoy your final month of summer and get ready to Go Back To School with JAG – we will provide all the Back To School Specials!



JAG's response to proposed changes to the New Jersey Cable Television Act  
(specifically N.J.S.A 48:5A-9 and 10)

Re: Jersey Access Group Comments to Docket No. CX14020154

Ms. Kristen Izzo,  
Secretary  
New Jersey Board of Public Utilities  
Attn: Docket No. CX14020154  
44 South Clinton Avenue  
9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

June 3, 2014

Re: Jersey Access Group Comments to Docket No. CX14020154

Dear Madam Secretary,

The below comments are submitted on behalf of the Jersey Access Group (“JAG”) in response to the proposed changes to the New Jersey Cable Television Act (specifically N.J.S.A 48:5A-9 and 10).

JAG was created in 2000 by a group of New Jersey access stations in order to inform and educate members of issues facing municipalities concerning the connectivity and distribution of information from both internally and externally wired and wireless connections. This includes services by emergency responders, television stations, radio stations, security networks, IT departments and classroom education. Today, JAG has grown to include \_\_\_\_ members representing all geographic areas of the State.

JAG also works closely with the New Jersey League of Municipalities on issues including cable franchising, community media, and other telecommunications matters impacting their membership.

The proposed changes to the New Jersey Cable Television Act are of particular concern to JAG. Overall concerns revolve around two main areas: erosion of consumer protections and the detrimental impact to public education and government (“PEG”) access channels.

#### **A. Consumer Protection**

##### **1. 14:18-1.2 Normal Business Hours**

Under Subchapter 1 General Provisions, JAG objects to the proposed language change to the definition of “Normal Business Hours” which eliminates the requirement that cable companies must have evening and weekend hours for their bricks and mortar locations. By only allowing stores to maintain hours between 9-5pm, it greatly reduces the ability of consumers to conduct necessary business and may require a customer to take time off of work in order to visit a store.

Cable customers often have needs that other utility businesses do not have. For example, customers often need to exchange equipment such as a remote control, modem or other device. Customers often visit cable companies directly in order to conduct this business rather than make an appointment and have to wait at home for a long duration of time. This proposed language change is particularly detrimental to the consumer.

Moreover, combined with proposed changes in Subchapter 5 which makes it easier for cable companies to close or relocate offices, this provision is particularly troublesome. If the nearest cable store is 35 miles from a customer's home, how is that customer going to be able to visit that store in accordance with the proposed revision to “normal business hours” without missing time off work?

##### **2. Subchapter 3. Customer Rights**

JAG objects to the multiple proposed rule changes under Subchapter 3 that would remove the requirement for cable companies to provide schedule of prices, rate, terms and conditions, notices and other customer information directly to customers if it elects to provide such information on its website.

Cable rates, packages, terms and conditions, channel lineups and other critical customer information are largely driven by local franchise agreements. It is very difficult to navigate through the national website of the cable provider to find the local information. The effect of this regulation will directly impact the customer's ability to monitor and review charges and service offerings provided by the cable company.

Further JAG strongly disagrees with the assertion in the proposed rule changes that *“these changes will also benefit customers by reducing industry compliance costs, thereby reducing overall costs, and accordantly, rate pressures.”* There is no evidence across the country to substantiate the assertion that that removing notice requirements reduces costs. This simply will not happen.

Additionally, JAG objects to the proposed change under Section 14:18-3.16 that eliminates the requirement for the cable companies to provide notifications of price changes to municipalities. Local governments receive numerous requests for information as well as consumer complaints from cable customers on a regular basis. This proposed change prevents municipalities from obtaining important information that it needs to assist its residents, which ultimately benefits cable operators. If NJBPU adopts this rule and essentially takes local governments out of the process of assisting consumers, local governments will be resigned to advising consumers to call their cable operators, or to call NJBPU in order to learn why local governments no longer receive this information. Moreover, notices of price changes are often required by franchise agreements, and elimination of this requirement by NJBPU will constrain a local governments ability to enforce local compliance.

### **3. Subchapter 6 and 7. Records, Reports and Filings**

JAG objects to the proposed language changes that remove the right of the public to inspect complaints, records and filings, prices, rates, terms and conditions. Public inspection is an important customer right and should be retained. NJBPU should be promoting transparency in the consumer information that is provided to New Jersey citizens. How is the public interest served by terminating the public’s right to review this important information?

#### **B. Detrimental Impact to Public, Education and Government Channels - Section 14:18-3.17 Notice of alteration in channel allocation**

Cable channel realignment and changes are commonplace on a cable system. This section governs the rules which require cable companies to provide notice when such changes are made.

JAG strenuously objects to the proposed language in subsection (c) that states:

*“Each cable television company shall notify affected municipalities of an alteration in channel allocation for public, educational, and/or governmental access channels within 10 days of the effective date for new additions, and at least 30 days prior to the effective date of a change in channel location or deletion in a manner reasonably calculated to provide such information.”*

PEG channel location changes are expensive and difficult to manage for PEG operators that rely on the identity of channel locations as part of their branding. For example, many PEG channels are identified by channel number on the channel lineup. Thirty days notice is not sufficient for PEG channels to make appropriate internal and external changes including alerting viewers to the new channel location. This proposed language will also result in a substantial increase of costs to PEG operators particularly for those that must re-brand their channel to a new channel number.

Moreover, subsection (d) also appears to further relax the notification provision for alterations and deletions that are not *“within the exclusive control of the cable television operator”*. Under this subsection, it is proposed that the cable television operator only needs to provide 24 hours via electronic means. It is unclear whether this proposed language is intended to also apply to PEG channels. However, because it does not explicitly exempt PEG channels, it appears to apply. As stated above, thirty days is not sufficient notice for channel deletions or change in location let alone 24 hours.

For the same reasons enumerated in Section 2 of this letter, JAG is also concerned with the proposed language under this section removing the requirement that cable companies must notify affected municipalities of alterations in channel allocation. If adopted, the new rules will make it more difficult to get important information to consumers, and result in more calls to cable operators and to NJBPU for this information.

#### **C. Conclusion**

Overall, JAG is troubled with the proposed language changes to the New Jersey Cable Television Act as well as the stated motivation for such changes.

In the draft, the rationale for the proposed changes is stated as follows:

*“However, it is believed that this rulemaking will lesson costs to cable television companies by allowing them to file documents electronically and to provide notice to customers and municipalities less frequently and electronically. By reducing unnecessary administrative burdens and cutting red tape, these rules will reduce compliance costs, thereby mitigating upward pressure on rates and allowing cable television companies to focus their resources on other priorities that too benefit customers.”*

Notification and filing requirements are not unnecessary burdens – rather they are customer service protections and rights that customers including local franchising authorities should continue to maintain. There is no evidence to suggest that changing the law pursuant to the proposed changes will mitigate pressure on rates. Unless NJBPU were to require a *quid pro quo* in return for eliminating certain regulations, in the form of guarantees from cable operators that the regulatory savings will result in rate benefits to consumers – and penalties for lack of compliance, the cost savings to the cable operators, if indeed there are any, could just as easily go to shareholder dividends or benefits to corporate management. To be very clear here, to the effect of the proposed rules will do little more than reduce customer service standards and consumer protections and increase corporate profits, to the benefit of the cable providers.

Upon review of these rules, JAG urges that the Board consider these points and deletes the proposed language to the above commented provisions.

Thank you for your consideration.

Sincerely,

Bob Duthaler  
President  
Jersey Access Group

## Bits & Bytes

- Summer break - Next meeting September 24 with a presentation by Broadcast Pix
- NATOA eNATOAs webinars can be seen by members at METV. Reservations required do to limited space.  
Details: <https://www.natoa.org/events/enatoa.html> . Next eNATOAs: September 8, 2014, 2pm ***Closed Captioning and the Video Accessibility Act.***
- Executive board next (annual retreat) meeting August 20 focusing on development of a strategic plan, changes to our policies and procedures and possible amendments to the bylaws.
- JAG will open membership to vendors in September.
- JAM Video Awards submissions will close on Oct 3.
- You are invited to run for the JAG Board of Trustees. Nominations for Trustees (Three Positions available) will be accepted at Oct 29 general meeting or by mail prior to the meeting if you cannot attend. You may nominate yourself. Brief resume required that will be circulated with election ballot.
- Presentation of the 2015 budget at Oct 29 general meeting
- Election of Trustees will be held on November 26.
- JAM Awards Dinner and JAG Annual meeting will be held December 10.
- Sessions confirmed for the 2014 NJLOM conference in Atlantic City:  
Tuesday, Nov. 18, 2014 @ 2:00pm - *Cable Franchise Renewals in an Era of Changing Technology* & Wednesday, Nov. 19, 2014 @2:00 PM - *Local Government Communications in a Digital World*. Details to follow.

**Looking for a panelist for NJLOM Conference Session**  
***Cable Franchise Renewals in an Era of Changing Technology***  
***If your town has recently negotiated franchise renewal we would like to***  
***hear about how the process has changed.***  
**Contact Rich Desimone at [rjdesimone@verizon.net](mailto:rjdesimone@verizon.net)**

- JAG is conducting a survey regarding all communication in your town. This information will help in the development of our NJ League sessions. We ask all members to consult with town officials to provide the information requested.

**PLEASE TAKE THE SURVEY NOW**  
<http://survey.constantcontact.com/survey/a07e9fhpm2jhwc4y61p/start>

## COMMITTEES CORNER

**NATOA 2014**  
**Annual Conference**  
Sept. 29-Oct. 2



St. Paul, MN

<https://www.natoa.org/events/annual-conference/2014/>

**NJ League of Municipalities**  
**Conference**



Nov. 18-20

Set up Nov.17

**MassAccess**  
**Annual Conference**  
Coming in Nov.



[www.massaccess.org](http://www.massaccess.org)

**JAM Awards**  
Call for entrees NOW OPEN  
Closes Oct 3, 2014



Awards Dinner  
Dec. 10, 2014

### PRODUCTION COMMITTEES

The production committee has been working on revamping the Access NJ program. If you have not already received a call from a committee member you can expect one soon. We are looking to find out who is currently running the Access NJ program, and if you are not currently running it are you interested in doing so. We are also trying to find out who is interested (and capable) of producing short 6- 12 minutes segments for the program. The response so far has been great and there are a lot of stations out there interested in running the show and producing segments. Our next step will be to update the submission guidelines and get them out to stations and to ensure that the stations who wish to run it have an easy way to access it.

We are also looking to outside producers to help fill in the program, although priority will always go to active JAG members. We also plan to break the program out into individual segments under the Access NJ banner for the JAG website and to make them available to stations to use as filler. It will also allow viewers to browse them by subject matter and submitting town.

We are looking to run a workshop on how to produce an episode at a JAG meeting in the winter or early spring.

### AD HOC COMMITTEES

**Affiliate Committee: *Dave Garb, Chair***

**PLEASE HELP!!** The JAG website, is in need of your assistance!

I am trying to update the \*Members Only\* section. In it is a database waiting to be filled with your information.

We need a copy of your towns franchise agreement! With these readily available materials, all members will be well informed and have the tools at their finger-tips when their municipalities enter the refranchising window and we also need your stations policies and procedures for our members needing the guidelines when creating their own set of operations/rules for their access television station.

Please remember that your opinions on the current site are welcomed!

**Membership input is vital!** The executive board would like to hear from you on what information you would like to see presented on it.

Please help to make our website a success. Please forward to me your thoughts and information to the e-mail address: [davegarb@paps.net](mailto:davegarb@paps.net)

**JAM Awards Committee: *Lee Beckerman, Chair***

While you lying on the beach or hanging out by the pool (or god forbid working the summer concerts) don't forget to keep in mind what you're going to submit for the 2014 JAM Video Awards! I know it's hard to keep this in mind when the September seems so far away, but it does tend to creep up faster than you think!

Plans for the gala awards ceremony is December are already underway and it looks to be a pretty great party! The best place to experience it is from the winners circle!

The JAM Awards are New Jersey's premiere excellence in video festival.

All videos must be received by October 3<sup>rd</sup>. Entries must have been produced between January 2013-September 30, 2014. Nominees will be announced December 1, 2014.

You got to be in it to win it!

Jersey Access Group, PO Box 772, Woodbridge, New Jersey 07095

732-877-8581

[www.jagonline.org](http://www.jagonline.org)

[info@jagonline.org](mailto:info@jagonline.org)

New Jersey Chapter of NATOA and New Jersey League of Municipalities Affiliate

Editor Rich Desimone