Late Backup

#43
8-26-10

RESOLUTION NO.

WHEREAS, the Federal Cable Act of 1984 mandates that cable video operators provide channels on their network for local Public, Educational, and Governmental (PEG) programming; and

WHEREAS, the City is responsible for administering the PEG channels to Austin cable television subscribers; and

WHEREAS, the PEG channels are used to deliver emergency alerts and critical public health and safety information; to cover local issues that may go unnoticed by major media; and to cover public meetings – giving citizens electronic access to public community life; and

WHEREAS, the educational PEG channels provide programming aimed at students both at home and at school, and provide additional and easily accessible educational resources to the public; and

WHEREAS, the governmental PEG channels provide important coverage of City, Travis County, and State of Texas government activity, including proceedings of the State Legislature to local residents; and

WHEREAS, PEG channels are a valuable and highly utilized resource for local groups and individuals to connect with the community; and

WHEREAS, the PEG channels are currently available to every subscriber without any additional charges or equipment and have been provided this way for years; and

WHEREAS, Ordinance No. 960613-A granting Time Warner a franchise in the City, requires that its basic cable service, including the PEG channels, be provided by Time Warner at no cost to municipal, county and

public school buildings, including City Hall, County Commissioner's Court, AISD schools and Austin Community College facilities; and

WHEREAS, the City understands that converting the PEG channels to digital will allow Time Warner to free up bandwidth in order to allocate that bandwidth for other video, internet, and telecommunications services; and

WHEREAS, Time Warner has announced that on October 1, 2010, (postponed from August 5th), the seven Austin PEG channels will no longer be provided to its subscribers in the current analog format which will require subscribers to obtain digital converters to continue viewing the PEG channels on analog televisions; and

WHEREAS, Time Warner will continue providing full-power local broadcast and all other channels in its Basic and Standard Tiers in the current analog format when the PEG channels are converted to digital; and

WHEREAS, the proposed change by Time Warner will reduce the availability of PEG channels to its subscribers, will increase costs for some subscribers to view the PEG channels, and may create problems for customers with older equipment such as VCRs;

WHEREAS, the Austin Community Technology and Telecommunications Commission adopted a resolution recommending that the City urge Time Warner to treat Austin PEG channels on par with local broadcast channels and to continue providing PEG channel availability without additional cost; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to take appropriate steps to protect the continued access by Time Warner Cable subscribers to Austin PEG channels on the basic and standard service tiers without any additional cost to the subscribers or any Austin PEG channel administrator.

BE IT FUTHER RESOLVED:

The City Manager is further directed to ensure any switch to digital PEG channel programming will be a smooth transition for current analog subscribers; this may include working with other entities on public outreach campaigns to raise awareness of an impending change in services for those subscribers and prepare them to make the switch.

ADOPTED: _____, 2010 **ATTEST:** _____
Shirley A. Gentry
City Clerk