



State of Connecticut

Office of Consumer Counsel

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The Energy and Technology Committee

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Raised Bill No. 5509 AAC Public Access Television And The Definition Of Public Service Companies

Testimony of Mary J. Healey, Consumer Counsel

Presented by William L. Vallée Jr., Principal Attorney

The Office of Consumer Counsel (OCC) has carefully reviewed Raised Bill No. 5509, *AAC Public Access Television And The Definition Of Public Service Companies*, and supports sections 1 & 2, the PEG provisions. The OCC has long questioned the utility of P.A. 07-253 in general, believing that many sections of that legislation improperly reduced the regulation of all video providers in Connecticut without retaining adequate regulatory oversight or authority necessary to promote necessary telecommunications public policy goals. To help remedy such problems, the OCC has indicated its full support for Raised Bill No. 5463, *AAC Periodic Review Of Video Providers*, also being considered during this 2010 legislative session.

It is clear that public access television coverage across the state has suffered, perhaps due to unintended consequences associated with the passage of P.A. 07-253, and those PEG issues have only become more inflamed in the intervening years. The smorgasbord of certification status options and legacy regulations, including the continuing overlay of substantial federal jurisdiction in this area, have allowed PEG to become an abandoned ingredient of the video scene in Connecticut, in large part. This unfortunate development continues to be the subject of various legislative proposals each year, generally without positive effect.

The OCC hopes that this bill will be more successful and address the concerns of the PEG community to some degree. Various PEG providers have feared the consolidation of the three elements of PEG services (public, educational, governmental access) into one channel, thus reducing the coverage their audiences desire. The introduction of AT&T's video service and its absolutely minimal regulation was the driver behind P.A. 07-253, and the results of that regulatory policy have prompted annual attempts in the General Assembly to undo the negative results of that largely unrestrained and imbalanced freedom in the video market. AT&T has continued to be less than forthcoming in its support of PEG access and it is to be hoped that this provision will become law and be adequately enforced by the DPUC, making PEG access a level playing field for providers and a successful part of the video lineup in every Connecticut town.