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The flip side of network TV

If Georgia changes cable franchise rules, some public access channels could go dark

By SCOTT LEITH

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People TV is, like most public access stations, a good bit out of the ordinary.

The nearly 3-decade-old Atlanta cable station carries shows like "Caribbean Report," "Precious Memories Presented by the House of Prayer" and "Chicks Can Fix Cars Too." Depending on your perspective, the fare is obscure or interesting, enlightening or offensive, or maybe just boring.



Charlotte B. Teagle/AJC
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Guests **Mzee Leonard Tate** (from left), **Sam Wright**, **Dr. Denis Jackson**, **John Evans** and **Hal Lamar** chew things over with host **James 'Alley Pat' Patrick** (right), host of 'Alley Pat's Place' on People TV, provided as part of Comcast's deal to carry cable TV in Atlanta.

CHANNEL CHANGES

Georgia lawmakers are weighing major reforms in how TV service franchises are granted in the state. Here are some details:

• Current system —

Companies, chiefly cable providers, get franchises from local authorities in cities or counties.

• **Proposed changes** — HB 227 would create a statewide system, giving companies a one-stop shop.

• **Who's behind it** — AT&T, which bought BellSouth in December, is the big backer. AT&T plans to offer video services to compete with cable companies. Allies in the Legislature are touting the changes as good for competition and, therefore, for consumers.

• Who else is interested —

The cable industry, plus city governments, county governments and others.

• **Key disputes** — The major players already have compromised on several fronts, but there are still questions on issues such as build-out requirements. Currently, the proposed legislation doesn't require companies to serve an entire city or county area. Some are concerned this could lead to discrimination, in which only some neighborhoods get new services.

It also might be in jeopardy.

People TV gets about 90 percent of its operating budget from Comcast, thanks to the cable carrier's franchise deal with the city of Atlanta.

The station faces the serious prospect of losing that money, given that the Georgia General Assembly is considering big changes in state franchising rules. New legislation would partly preserve channels that are used for public access, educational or government purposes — known as PEG channels — but wouldn't maintain funding after a certain period of time. In Atlanta, the number of PEG channels also would be cut from five to three.

The prospect of such switches puts People TV's existence into question. "There's always been funding for public access," lamented Charlotte Engel, People TV's chief executive and general manager. "It's an institution that's been part of the community for a lot of years."

The potentially grim future for some PEG channels is a little-noticed side issue as franchising reforms sweep more states, largely at the behest of phone companies. AT&T and Verizon Communications want to simplify the franchising process to make it easier for them to launch video services to compete with cable providers. Their focus involves dismantling local franchise rules in favor of simpler, statewide systems.

In the give-and-take among the various groups that have a stake in the issue, PEG channels tend to be little more than bargaining chips. The channels are of intense importance to a small group of supporters, but they don't have much widespread support.

In Georgia, PEG boosters have little clout in comparison to the main players, especially AT&T and the Cable Television Association of Georgia. "It's a negotiation, and when you negotiate, you have to compromise," said Gwin Hall, associate general counsel for the Georgia Municipal Association, which represents local governments and has tried to shield PEG channels as much as possible.

"We were trying to protect what cities have, but then you've got cable companies that aren't interested at all in PEG channels," Hall said.

PEG channels have evolved over time, becoming fixtures in many parts of the country. While some areas have no PEG channels, other locales have several.

In the city of Atlanta, for example, a cable customer gets five PEG channels, including People TV and City Channel 26, which shows City Council meetings. The channels exist because the city sought space for them in past franchise negotiations.

Limits proposed

Under Georgia House Bill 227, that would change. Local governments with 50,000 or more residents — such as Atlanta — would be limited to three PEG channels. Smaller areas could get two.

To keep their PEG channels, managers would need to meet certain usage requirements, such as not being over-reliant on reruns. The bill also would require governments or others to pay for the operation of PEG channels, rather than asking for financial support directly from cable companies.

These changes loom large for People TV. The channel expects to get about \$632,000 directly from Comcast in 2007, under the terms of Atlanta's existing franchise agreement with the cable provider. Engel said the rest of the channel's \$674,000 operating budget will come from grants, donations and other means, including fees the channel charges when staffers teach novices about TV production.

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If HB 227 becomes law, there will be a built-in buffer for People TV, given that PEG channels and the cash that supports them will be "grandfathered" for the original length of current deals.

People TV would face funding losses in 2010, when Atlanta's Comcast deal expires. Then, in 2012, the city would see its number of PEG channels drop from five to three, posing another big hurdle for People TV.

Eclectic mix of shows

Engel is trying to muster support for her quirky station. Whether it's all worth saving depends on your perspective.

People TV is home to a wide array of shows, from religious programming to "Alley Pat's Place."

"Alley Pat" is one of the channel's best-known offerings, featuring venerable Atlantan James "Alley Pat" Patrick. Like many others on People TV, his show originates from the channel's dingy building on 14th Street in Midtown.

During a recent program, Patrick and his guests chatted about a batch of issues. They sat in metal folding chairs on a modest stage, as a single operator hustled among three cameras.

As with virtually all public access TV, it was a decidedly amateur production. One guest, longtime Atlanta activist Mzee Leonard Tate, arrived late and, in the middle of the live show, took a cellphone call. The program's volunteer director hollered and shook his head in a mix of amusement and disbelief.

Engel — a onetime executive at Turner Broadcasting System who took her current gig as a retirement job — watched it all from the control room, chuckling at times. This is the freewheeling world of public access. She thinks it needs to be preserved.

Different technology

AT&T isn't opposed to PEG channels, said spokesman Bill Marks. "AT&T values its relationships with local governments and has a commitment to the communities it serves," he said.

However, AT&T uses a different technology than cable and doesn't face the same kind of space constraints in the number of channels that can be offered. PEG requirements are, in turn, a lesser issue for AT&T.

For cable, however, PEG channels take up valuable space and resources. In negotiating with AT&T and the former BellSouth about franchise changes in Georgia, cable representatives sought changes in the PEG system.

"We want to be sure if we have to give that space away that it is indeed utilized," said Nancy Horne, president of the Cable Television Association of Georgia. In her group's view, most PEG channels will be fine under the new legislation, with the biggest impact falling on just a few channels in a few places, notably Atlanta.

The state's legislation also would prohibit local governments from asking cable or phone companies to pay for operations of PEG channels. They'll be charged a franchise fee — most likely 5 percent of their revenue — which will go to local jurisdictions. Rep. Jeff Lewis (R-White), sponsor of the franchising changes in Georgia, said communities could choose to use some of that money to help pay for PEG channels such as People TV.

Fighting the tide

Whether such funding will actually be provided is what worries many public access advocates. Tony Riddle, executive director of the Alliance for Community Media in Washington, said new laws around the country are making life much more difficult for public access channels.

"Part of the reason local franchising has always worked well is the community could figure out what it needed," Riddle said.

Some, however, believe it's time for changes at public access stations such as People TV. In 2005, a study of Atlanta's PEG channels — conducted to advise the City Council and mayor — concluded that the system needs reforms.

"The PEG model is admirable in its intentions and impressive in its longevity, but it doesn't work very well," the study said.

Hans Klein, one of the authors, said he hopes People TV will change to survive. However, Klein, an associate professor of public policy at Georgia Tech, worries that the future isn't bright for the channel, especially with the bill being considered at the Capitol.

"I'm not happy to say this, but I think they are in a very threatened position," Klein said. "This might just do them in."

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