

SPEAK

Together



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Our Mission

Promote lifelong learning through the creation, production and cablecasting of programs that are aimed at the preservation, development and enhancement of diversity of thought, culture and heritage on O‘ahu;



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Our Mission

Facilitate communication through electronic media technology for community empowerment; and



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Our Mission

Increase civic participation in the democratic process by promoting understanding and informed use of the electronic media.



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How we fulfill our mission



Together

Engaging communities through seven CMCs

- Windward Oahu
- Northshore/Kahuku
- Wahiawa
- Waianae/Nanakuli
- Waipahu
- Mapunapuna/Salt Lake
- Palolo/Kaimuki



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Services for NPOs and Community Orgs

- Giving Aloha
- Mini-Studio
- Executive Productions
- Staff and Volunteer Training
- Island Info



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Community and Youth Development

- Vote! Initiatives
- Youth Xchange Video Competition
- Youth Capitol Commentary
- Summer Media Programs
- Halia'a Aloha



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Six Cable Access Channels

- Featuring Arts and Entertainment
- Cultural, Ethnic and Hawaiian programs
- Community events and issues
- City, State and Federal government
- Over 20 different languages
- Approximately 6,000 hours of new prog



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‘ōlelo
NET

On Demand



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On-Demand Internet Archive

- Local Public and NPOs
- Honolulu City Council
- Hawaii State Senate



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When our voice thrives, so does our community



PEG Access Proposed Regulations

February 6, 2009

Proposed Regulations

The HCR358 Task Force was established to solicit public input and examine methods other than the Public Procurement Code to oversee PEG expenditures and ensure proper checks and balances; to examine the selection process for PEG "advisory board members"; and in so doing, take into account the first amendment rights of PEG.

Following the Legislative Session, members of the Task Force were appointed. The Task Force met eight times between June 30, 2008 and December 8, 2008. The Task Force developed five policy recommendations.

For the purpose of this informational document, the general nature of the policy recommendations was to exempt the designation of the PEG access organizations from the procurement process. Additionally, the Task Force considered proposed regulations, for the purpose of ensuring accountability and oversight of the PEG access services providers, fashioned after regulations used by the DCCA in its oversight of cable television. The remainder of this document focuses on key points of the proposed PEG access regulations.

What qualifies an organization to be a PEG Access provider?

The organization must be designated as an access organization by the director of the State of Hawaii Department of Commerce and Consumer Affairs, commonly referred to as the DCCA. The director can accept applications from any nonprofit organization to be selected to oversee the development, operation, supervision, management, production, or broadcasting of any public, educational, and governmental (PEG) channels.

How does the application process work?

No access applicant shall be initially designated except upon written application or proposal to the director of the DCCA, and following a public hearing.

What information must be included in an application for designation as an access organization?

- The management and technical experience of the organization and its existing or proposed staff.
- The demonstrated public media, community media, and /or PEG Access experience of the organization and its existing or proposed staff.
- The applicant having among its missions/purposes (as demonstrated by its articles of incorporation, bylaws, or similar corporate documents) to provide training, education and outreach to permit individuals and organizations the ability to use communication tools to effectively convey their messages.
- The ability of the organization to provide the PEG Access services requested by the DCCA.
- The organization's short-term and long-term plans for PEG Access services for a designated county.
- The financial capacity of the organization
- Whether the organization agrees to expand the marketplace of ideas, and is committed to allowing members of the public to express their First Amendment free speech rights.
- The demonstrated ability of the organization, through the use of electronic media tools, to foster and engage in civic and cultural development and engagement in communities it has served.
- Any other matters deemed appropriate and necessary by the director of the DCCA.

[What are the process and criteria for the DCCA's determination whether to designate an access provider?](#)

The director of the DCCA is empowered to designate a PEG Access provider only after a review of the application, public hearing and a determination that the designation is in the public interest. In determining whether to designate an access organization, the director shall take into consideration, among other things, the following:

- The content of the application or proposal
- The public need for the services
- The ability of the applicant to provide PEG access services
- The suitability of the applicant
- The financial responsibility of the applicant
- The technical and operational ability of the applicant to perform efficiently the services for which designation is requested
- Any objections arising from the public hearing, the cable advisory committee, or elsewhere
- Any other matters as the director deems appropriate in the circumstances.

[How many applicants can be approved for each county?](#)

No more than one entity can be designated to provide PEG services for each county. This is critical to ensuring the limited PEG access resources are effectively leveraged and eliminates costly duplication of infrastructure, facilities and administrative staff support.

[What will be the duration of the proposed contract?](#)

The periods of renewal shall be not less than five nor more than twenty years, consistent with the cable franchise requirements.

[What happens when the PEG access services contract has to be renewed?](#)

If the PEG access provider wishes to renew its contract with the State, the access organization would let the director of the DCCA know of its intent no later than twelve months before the contract is set to expire. The director can accept or reject the request for renewal. If the director accepts the request for renewal, the process would be similar to that involved in the initial designation and award of the contract, including a public hearing.

[Under what conditions can the DCCA revoke a contract?](#)

The DCCA may revoke, alter, or suspend a contract if the director deems it necessary on any of the following grounds.

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- For making material false or misleading statements in, or material omissions from, any application or proposal submitted to the department.
- For any sale, lease, assignment, or other transfer of the contract without consent of the director.
- For material breach of the terms of the access services contract, following notice and reasonable opportunity to cure.
- For repeated failure to comply with the regulations or any rules or orders prescribed by the director.
- For engaging in any unfair or deceptive act or practice as prohibited by Haw. Rev. Stat. 480-2.

[What are other methods the DCCA will have to hold PEG organizations accountable?](#)

The regulations require compliance reviews, inspection of records and facilities, and scheduled reports to the director. The director may also fine an access organization for violations.