

LATE



**SB1235
RELATING TO CABLE TELEVISION**

Senate Committee on Commerce and Consumer Protection

February 14, 2013

9:00 am

Conference Room 229

The Office of Hawaiian Affairs (OHA) offers the following comments on SB1235, which would open the door for allocation of cable franchise fees to support 'ōlelo Hawai'i revitalization efforts.

While once spoken throughout Hawai'i by Native Hawaiians and foreigners alike, 'ōlelo Hawai'i was considered to be nearly extinct by the 1980s, when fewer than 50 fluent speakers under the age of 18 were left. However, great strides have been made to bring about a renaissance of the Hawaiian language through programs such as 'Aha Pūnana Leo's Hawaiian language immersion schools, the Department of Education's Hawaiian language immersion program, and the Hawaiian language programs of the University of Hawai'i system. Although there is much momentum in the revitalization of the Hawaiian language, for 'Ōlelo Hawai'i to thrive rather than simply survive, more people need to speak the language.

Research indicates that the use of language in major domains of society—government, education, work and media—increases the prospects for intergenerational continuity and language maintenance. Accordingly, the use of 'ōlelo Hawai'i within local governance and mass media plays an important role in assisting the State to fulfill its commitment to revitalization of our native language. The most pronounced example of this commitment can be found in the Hawai'i Constitution, which recognizes 'ōlelo Hawai'i as one of the two official languages of the State. Moreover, the state has consistently expressed its support through legislation and administrative policies and programs.

SB1235 provides an opportunity for the State to further its commitment by allocating funds for production of high-quality multimedia content that serves the needs of our community, with an emphasis towards normalizing the Hawaiian language and perspective in media. This would be consistent with the purpose of HRS Chapter 440G, which is to provide access to the media for public, education, and government uses; to contribute to an informed citizenry by giving voice who might not otherwise have one.

Mahalo nui for the opportunity to testify.



KAUAI
*Chamber
of
Commerce*

February 13, 2013

Senator Rosalyn Baker, Chair
Senate Committee on Commerce and Consumer Protection & Members
Hawaii State Capitol – Room 229, 9:00 A.M.
Honolulu, Hawaii 96813

Dear Chair Baker and Members:

RE: SB1235 Relating to Cable Television

Aloha! I am writing this letter in **opposition** to this bill which will re-designate the Franchise Fees from Kauai's PEG operations and instead transfer the funds to the DOE, the Hawaii Public Broadcast System, OIWI television and, leave a small portion of 11.11% to Kauai County's residents.

The Franchise fee as we know is derived from the corporate use of Kauai's Public Rights of Way. This is an exclusive entity to Kauai as it is in all of our Counties in Hawaii. **The re-allocation of fees would take funds from Kauai to support the entire state project and is not what the original intent of PEG services and Hawaii law provided.**

The 11.11 percent for Kauai means that our local Hoike Community Television \$500,000 operating budget would be significantly reduced to \$65,000 a year in order to provide for our Public, Education, Government programs and, services. Hoike CT will be unable to provide its most essential public service and good to the people of Kauai and Niihau and, with that same impact on Government production. Public access, transparency for example for Kauai County Council meetings, Planning Commission, Police Commission (of which I am also a Kauai Police Commissioner) and Mayor's programs will become nonexistent. There will be no training and education for hundreds of residents who participate in these programs which enable and empower them to communicate their message(s). There will be no opportunity via this medium for any communication and exercise of free speech. There will basically be no access to watching the state legislature and even opening of the Hawaii State Legislature as well as watch statewide speeches. Unlike residents of O'ahu who have the opportunity and convenience to go directly to the state capitol, Kauai County residents will have to incur the additional costs because of no access and convenience. Kauai's non-profit sector will also lose an invaluable tool for marketing, outreach and pure public service, especially, when this sector continues to take 'hits' aka budget cuts in this recession. Kauai and Niihau will no longer be able to partner with our schools providing for example, media arts development. We will not be able to serve the economic development of our island with programs for the Chamber or others such as the Kauai Economic Development Board (KEDB) programs.

As an example, the Kauai Chamber as a result of our partnership and collaboration with Hoike CT over the past few years provided public access to residents throughout the island of our biannual General and Primary Election Candidates' Political Forums. Residents are able after each forum to watch and learn from the forums about each candidate's background, position on an issue(s) after the event is recorded and edited at either their residence and/or place of business. We are currently preparing for the upcoming Kauai Island Utility Cooperative (KIUC) 2013 Board of Directors Candidate Forum which will take place over 3 weeks throughout the island and which will provide for local community insight of resident concerns from the Westside, to Central as well as North Shore, Kauai.

It should be noted that all of the intended services that would be created for native Hawaiians already exist in the current structure of PEG on Kauai and throughout the state. Hoike CT has worked with Ke Kula o Niihau to provide curriculum for training, trained and, provided equipment to Kanui Ka Pono Charter School. Hoike CT is currently developing a program for Kawaikini Charter School. For several years, Ho'ike partnered with UH Hilo to provide digital media training and opportunities for native Hawaiians and served as a vehicle to train about 10 kids from Niihau and others. This bill guts and eliminate Ho'ike Community Television or any successor. Mahalo nui loa and Aloha for your consideration.

Randall Francisco
President/CEO



KAMEHAMEHA SCHOOLS®

The Senate
Twenty-Seventh Legislature 2013
State of Hawai'i

Chair Rosalyn H. Baker, Vice Chair Galuteria and
Members of the Committee on Commerce & Consumer Protection

SB 1235 Hearing Date: February 14, 9:00 a.m., Room 229

Testimony in support of SB 1235.

Aloha mai kākou e Chair Baker a me Vice Chair Galuteria:

My name is Dee Jay Mailer, the CEO of the Kamehameha Schools. Mahalo for the opportunity to submit testimony in SUPPORT of the intent of SB 1235 to find funding to support the revitalization of the Hawaiian language through television. We would respectfully ask that the Bill be amended to avoid what may be unintended consequences of cutting Public Education and Government (PEG) access funding for other valued communication services to our State, such as those provided by `Olelo Community Media.

Kamehameha Schools served as a founding underwriter for 'Ōiwi TV's initial establishment and has been an on-going partner in the development of an independent Native Hawaiian television service. We believe in the mission and vision of 'Ōiwi TV and its partner, Makauila, to re-establish the Hawaiian language and culture as equal and normal part of life here in Hawai'i. We are defined, as Hawaiians, by our language and culture and th is collective of Native Hawaiians, through their innovative and passionate work, gives us much hope that it is not IF our language will once again thrive, it is WHEN.

Specifically to the educational purpose and goals of the Kamehameha Schools, this endeavor in supporting an independent Native Hawaiian television service helps us to:

- Collaborate and coordinate with others to facilitate reinvention and engagement at the community level
- Embrace new approaches for meeting the ever-changing educational needs of beneficiaries
- Reach greater numbers of Native Hawaiian families and children.



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It is clear from growing viewership that there is a strong community demand for the work and service provided by Makauila and 'Ōiwi TV. It is also very clear that the core leadership team behind this collective have proven their ability to create effective strategies and both short-term and long-term goals that allow for measured and steady growth towards reaching their ultimate vision. Thus, we SUPPORT the intent of SB 1235 to find sustainable funding for the TV broadcasting that 'Ōiwi TV provides. We also respectfully ask that the Bill be amended to avoid what may be unintended consequences of cutting PEG access funding for other valued communication services for our State.

Mahalo a nui,

Dee Jay Mailer
Chief Executive Officer

The Honorable Rosalyn H. Baker
Chair, Committee on Commerce & Consumer Protection
Hawai'i State Senate

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Waipahu, HI 96797
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SB 1235 Hearing Date: February 14, 9:00 a.m., Room 229

Testimony in support of SB 1235.

Aloha Chair Baker and Vice Chair Galuteria:

My name is Leah Kihara. Mahalo for the opportunity to submit testimony in SUPPORT of SB 1235 and its efforts to allocate funding to support the revitalization of the Hawaiian language through television.

As a former employee of 'Olelo Community TV from 1999 - 2006, I am very familiar with the purpose and intent for the PEGs and the justification of public franchise fee funding. The proposed allocation in SB1235 for Hawaiian language television by Makauila is a similarly worthy use of these funds.

While the PEGs provide a valuable service, their model is the old paradigm of television and video distribution. As viewer habits evolve through technology, content producers and distributors must look for new ways to reach their audience. Makauila's partnership with 'Ōiwi TV is a prime example of this type of innovation using technology. The model employed by 'Ōiwi TV allows for the efficient operation of a digital television station at a fraction of the cost of a traditional broadcaster.

Furthermore, it is my opinion that this Hawaiian television initiative be independent of the PEGs as it serves a different purpose, revitalization, and needs to be managed by organizations that are grounded in the Hawaiian perspective. While 'Olelo Community Media's mission to strengthen island voices and advance community engagement through innovative media sets forth lofty ideals, it is the very nature of their philosophy to serve a diverse set of people, groups and communities that contradict administration of specialized Hawaiian language television. My familiarity of the inner workings and philosophy of the organization leads me to believe they lack the necessary experience, insight and knowledge to oversee this important pillar of our island home.

Mahalo for the opportunity share my mana'o in SUPPORT of SB 1235.

Senator Rosalyn H. Baker, Chair

Senator Brian T. Taniguchi, Vice Chair

Thursday, February 14, 2013, 9:00 AM Room 229

Testimony STRONGLY AGAINST SB1235 – Relating to Cable Television

My name is Craig Hockmeyer, and I am a resident of Maui County. The perhaps unintended result of this well intentioned bill's passage will be to silence the voice of the community that for more than twenty years has been provides tangible benefit to all these other voices the bill appears to want to help. It will diminish the open exchange of ideas between government and it's people, stifle the voices we all need to hear and damage local electronic democracy. We can do better than that and I am looking forward to continued dialogue and collaboration in order to find the resources for all so that Hawaii can become even a better place for all of us to communicate with one another.

Thank you for the opportunity to testify before you today.

Craig Hockmeyer

PO Box 894

Kihei, HI 96753

Feb 14, 2013 9:00 AM

RE: SB1235

Position strongly oppose

Robert Petricci

Aloha chair Baker and committee members

SB1235 appears to gut public participation in democracy while masquerading as supporting Hawaiian Issues. I believe SB1235 is not in the public interest, please hold the bill.

Thank you

Robert Petricci
President Puna Pono Alliance

TESTIMONY FROM: H. Melelani Pang, Parent, Pūnana Leo o Mānoa
ON: S.B. 1235, Relating to Cable Television
BEFORE THE: Senate Committee on Commerce and Consumer Protection
HEARING DATE: Thursday, February 14, 2013
TIME: 9:00 a.m.
LOCATION: State Capitol, Room 229
POSITION: SUPPORT

E ka Lunaho‘omaluku ‘o Rosalyn Baker a me ka Hope Lunaho‘omaluku ‘o Brickwood Galuteria a me nā lālā o ke Kōmike Commerce and Consumer Protection o ka ‘Aha Kenekoa, aloha mai kākou.

‘O au ‘o H. Melelani Pang, Makua, e waiho ana i ka‘u noi i mua o ‘oukou e mau mai ko Hawai‘i moku‘āina kāko‘o i ka ‘ōlelo Hawai‘i, he ‘ōlelo kūhelu ho‘i o kēia ‘āina, ma ke kāko‘o i kēia pila S.B. 1235.

My name is H. Melelani Pang and I am a Parent at Pūnana Leo o Mānoa. 2013 marks 30 years of Hawaiian language revitalization and normalization here in Hawai‘i. Our ‘ōlelo Hawai‘i is one, designated by our State’s Constitution as one of the “...official languages of Hawai‘i...” (Article XV, Section 4) helps to define what makes our ‘āina unique.

I add my kāko‘o, support, to SB1235 which will help reach the goal of E Ola ka ‘Ōlelo Hawai‘i – a living Hawaiian language – by using the power of the media to normalize our language even further.

SB 1235 will provide state support not only for more quality media content but for a budding Independent Native Hawaiian Television service, something our ‘ōlelo Hawai‘i needs and deserves, like other native languages around the world.

I am writing in support of this bill and humbly request that the Senate Committee on Commerce and Consumer Protection support SB 1235 allocating funds generated from H.R.S. §440G to serve the public need of normalizing ‘ōlelo Hawai‘i. “E Ola ka ‘Ōlelo Hawai‘i!”

BASIC PRINCIPLES OF COMMUNITY MEDIA IN HAWAII

By Jay April

February 14, 2013

In a democracy long, long ago when Community Television was in its infancy, Federal Communications Commissioner, Nicholas Johnson recognized that according to U.S. law, *"the airwaves belong to the people"*

The year was 1972; cable television behemoths were about to wire the nation. The federal government's intent was to protect localism and diversity of viewpoint by requiring these companies to pay "rent" for using our public rights of way by providing Public, Educational and Government Access channels, production equipment and facilities for public use on cable systems throughout the land. The fly in the ointment, however, was that the Feds left implementation and regulation of the Public Access concept up to LFA's or local franchise authorities. Not every one followed this "best practice" model, but many did and in the vast majority of cases it was mainly city and county governments who granted local cable television monopolies. In a few cases, like New York, Connecticut, Rhode Island and Hawaii, cable regulation was assigned to a state regulatory agency.

Community Television, also known as PEG Access, began to proliferate in local jurisdictions. The more successful stations were independent nonprofits established at arms length from government and financed from up to 5% of cable revenues and additional capital payments from cable operators. These stations were set up in local communities for no other purpose but to create public access to cable and provide free or low cost media skills for any and all comers. The big idea was not to benefit any one institution or special interest but to serve the general public from all walks of life including the unaffiliated, the disenfranchised, the popular as well as the unpopular, people who would otherwise not have a voice. The idea was also not just to benefit the institutional agenda of one or two schools, but to help teachers and students involved in all aspects of formal and informal education. The other main goal was not to create Government operated television, but to encourage local democratic discourse by televising gavel-to-gavel coverage of government meetings, making government more accessible to the masses.

The analogy that fits best is the one of the public commons or electronic park. If television stations were buildings, each building would look pretty much the same but carry a different commercial agenda. HBO would sell you movies; MTV music; CNN news; PBS; Ken Burns and British drama. There would be a boss sitting in an office on the top floor deciding what you, the audience, would see. If you walked into any one of these buildings, including the so-called Public Television building, and wanted to get airtime for your idea, you wouldn't get past the receptionist. It is even likely that, if you pressed the issue, "security" would throw you out.

Down below, between all these buildings, is the public commons, electronic "green space" if you will, the Community Access Television station. This is not a building, but a level playing field. The place where everyone, rich or poor, young or old, educated or not, can come to learn how to

create media, foster ideas and showcase the diverse talent and ability vital to a living democracy. This is the "electronic park" open to all voices without censorship, a place that honors free expression and diversity of viewpoint - even points of view that may be unpopular or controversial. The one place left in a media universe dominated by corporate media that provides everyone a free speech venue and non-discriminatory access to one another's living rooms. A place to talk, to show, to tell, to discuss, to create, to innovate, to play.

The idea worked famously well in a lot of places until the Federal government, during the Reagan era, in a doctrine known as, "the Chicago school" began to deliberately ignore the principles of diversity, localism and public ownership of the airwaves embedded in the Communications Act of 1934. This abdication of the public interest has allowed five or six telecommunications giants to reap obscene profits and monopolize both the content and delivery of radio, TV, cable, telephone, a majority of newspapers, magazines and books and now the Internet. For more than twenty years, companies like Time-Warner, Viacom, General Electric, Disney, Fox, Comcast and others have cozied up to our elected representatives and regulatory agencies and now run the table on virtually all we see, hear and read in America.

With the astounding media convergence currently underway, there are billions of dollars to be made in them broadband hills. This is why AT&T, Verizon and others have joined the fray. In their TV Everywhere world, there is simply no room in the corporate view for uniquely local community media, community broadband, net neutrality, or innovative ideas that challenge the status quo. No room for the people's voice. This is why these companies have spent millions of dollars at more than 28 state legislatures to convince lawmakers to open the market, bulldoze the electronic park and replace our public commons with another government building, a state-run school or, better yet, another commercial channel.

Despite this sophisticated and well-financed onslaught from industry and government, there are places where community media and PEG access centers thrive with the backing of the local population. One of these places has traditionally been Hawaii primarily because the programs are generally responsive to the needs of the local community on each island, have basic funding mechanisms in place, and are protected by state statute.

The long term future for community television in Hawaii, like every place else however, may not be so good because for five years running prior to the current Administration, the Time Warner cable monopoly hand in hand with the state cable regulatory agency, state educational establishment and other vested interests had attempted to repeal legislative protection for access and cutback on funding while adopting a divide and conquer approach. The master plan is to split up PEG access funding on the way to eliminating it entirely.

This is what I call the "Sesame Street" approach to cable access. Not only is it anti-democratic, and regressive, it is state-run television at its very worst designed to centralize all communication in a corporate framework. It is not about "community" or "access" anymore but about the letters, P, E, and G. Under this revisionist regulatory scheme, if the "P" or "public" side continues to exist at all, it will only be allowed to function begrudgingly as an unwanted, underfunded stepchild. This is not a positive development in a healthy democracy.

To better understand what is really going on, let's take a look at the history of how we got here.

In June of 1997, a report was prepared for the Local Cable Franchise Authority of the State of Hawaii. (DCCA) The report was entitled, DISPUTES OVER PEG RESOURCES: Splitting the Baby is NOT the Solution. The State of Hawaii by and large heeded the advice contained in the report and its "integrated model" independent Community Television operations, notably in Oahu and on Maui worked hard for years to become recognized as some of the best PEG Access stations in the nation.

This success was due in part to the fact that Hawaii PEG's adopted and put into effect a "best practice" integrated PEG model whereby independent nonprofits, created for this specific purpose in each county, provided channel space, unbiased gavel to gavel meeting coverage, nondiscriminatory access and low cost media training to local, state and native governments, private and public educational entities and a diverse and varied public. In short, Community Television in Hawaii has been empowering the local voices of each island community without censorship, editorial or state control for more than fifteen years.

By 2005, PEG Access on Maui became a victim of its own success. Private land development interests that did not like some of the messages being broadcast on these free speech venues conducted a sophisticated raid on PEG access coffers and combined with state educational agencies and the state's monopoly cable provider, Time Warner, to launch a privately financed lobbying campaign to split PEG funds into thirds. The end result was 25% of PEG funding for Maui's Community Television independent non-profit (Akaku) was re-allocated to state educational institutions in perpetuity without any accountability to the public. On Oahu, a similar development took place whereby 25% of the Oahu Access provider's (Olelo) funds were diverted to state education and caps were placed on franchise fees by Decision and Order of the state. The diminishment of these local democratic media outlets was hardly a local phenomenon. In the past several years, in state after state, from California to Texas to Michigan to Florida, sophisticated lobbying campaigns spearheaded by telecom and cable giants; Comcast, AT&T, Time Warner and Verizon succeeded in de-funding vital community media access centers causing many to close up shop. They did this while the FCC, federal, state and local regulatory bodies either aided and abetted this taking of the peoples' voice or simply ignored Federal Communications Law by looking the other way.

Back in Hawaii, incumbent monopoly telecom, Time Warner and state authorities under the previous Administration, used secret back room franchise renewal proceedings, obscure rulemakings, technical barriers, stealth lobbying tactics, antagonistic regulation and the use of the State Procurement Code and other means to control and marginalize the existing independent and effective public access organizations and divert funds back to the state. The thoroughly discredited "Split the Baby" rubric is back in force with a few government bureaucrats, state agencies, The University of Hawaii, the Department of Education and other vested interests hard at work to split the cable access baby into it's lettered components, P, E and G which could result in the dilution if not outright demise of the Public Access sector in Hawaii.

At the 2008 National Conference for Media Reform in Minneapolis presented by freepress, I had the opportunity to discuss this very issue with Nicholas Johnson and George Stoney, the architects of PEG Access policy at the FCC in 1972. Back then, Nick Johnson was an FCC Commissioner and George Stoney was working with Red Burns at the National Film Board of

Canada and starting up the Alternate Media Center at New York University. They saw the big cable monopolies coming and knew that marketplace forces would be likely to be deficient in meeting the communications needs of local communities. They concluded correctly that government intervention in the market was necessary to preserve the democratic ideals of diversity and localism in media in order to safeguard the greater public good in a mass media age. They envisioned Community Television (PEG Access) as an important social mechanism by which cable companies would pay "rent" for using public rights of way. Their vision was to democratize the dominant mass communications medium of our time by making possible policy and infrastructure to foster true, local participatory media. Both men told me that using the term "PEG Access" was their biggest "mistake" because over time a misconception came about in some jurisdictions that "P," "E" and "G" ought to be separated financially. They assured me that this was never the intent. The letters in "P," "E" and "G" symbolized constituencies served (Public, Education, Government) and were not conceptualized as funding categories to be split. We should have just called it "Community Television," they said, "because it is really about all of us".

Be that as it may, some areas with a huge subscriber base (i.e. New York City) have split "P," "E" and "G" successfully because the dollars are there to do it. In most places around the country, like Hawaii's neighbor islands, they simply are not. The reality is that smaller jurisdictions would be devastated by such a funding scheme resulting in the diminishment if not outright destruction of the resource. Why? Because the economy of scale to support three stations (P, E and G) including studios and facilities as opposed to one PEG access station does not exist. It would result in the antithesis of "community" television pitting one vested interest against the other. The real tragedy of the electronic commons here is that in best practice the "E" money in PEG was never meant to augment or replace what I call, "I" or Institutional Television which can be defined as instructional or educational television (K-12 and higher) funded appropriately by state and/or local taxes. This is the crux of the disagreement over "E" funds that nearly destroyed PEG Access on Maui in 2005 where the University of Hawaii and the Department of Education succeeded in getting 33% and currently 25% of PEG funds previously allocated to the nonprofit Access Organizations. Without diminishing in any way the significance and value of both "E" and "G" programming, it is fair to say that if the funding mechanism for PEG Access disappeared tomorrow, it is likely "E" and "G" would still exist. "P" almost certainly would not.

With respect to "E", the operative word is "ACCESS." Educational ACCESS TV (As opposed to say, Educational or Instructional TV) means that any and all educators, teachers, students or clients of public, private, parochial, charter, adult or any other form of education are entitled to:

Equal ACCESS to Tools - equipment, cameras, microphones, computers, studios etc.

Equal ACCESS to Skills - media education, scripting, shooting, editing, directing, lighting etc.

Equal Access to Ideas - media literacy, open dialogue and creative endeavor -

Equal Access to Technology - meaning physical ACCESS to cable channels - the right to broadcast at the same level and technology as commercial counterparts.

The key difference embodied in the term "Access" is that these privileges are not the exclusive preserve of the program managers of a given institution, channel or entity but are inclusive of all comers within the "P" "E" and "G" subset of potential users.

Educational Access, therefore, in its purest sense was never intended to entitle one or two specific state institutions access to cable subscribers while ignoring the responsibility to provide tools, skills and training to all educational sectors.

A similar analogy applies to "Government Access" or "G" programming. Government Access was meant to provide citizens access to government, not the other way around. The thinking was that if citizens could observe the workings of government in action they would be more likely to engage more fully in a participatory democracy. "G" was never intended to be state-controlled TV or even municipally controlled TV programmed by a government entity. The best practice model is more like CSPAN where an independent non-profit is charged with airing unbiased public affairs programming and unedited gavel to gavel coverage of government meetings. This is not unlike the model we see employed in a majority of access venues today. A pure "G" model in Hawaii would be inclusive of state, county, local and native government voices and would be inclusive of those who have an interest in civic issues raised in a healthy public domain.

As far as the Public or "P" is concerned, the reality is that "we" are all the public. It literally is "all about us" and the fully local communities we serve. The "P" sector is the most overlooked, the most disparate and the most inchoate. This is where views from diverse and often antagonistic sources are most likely to originate. This is where the sometimes untidy, but necessary ferment of local electronic democracy occurs. This is the area where free speech tends to be the most vibrant. Precisely because it is so disorganized, unpredictable and unfunded, it is the most vulnerable and in need of the most protection. This is why I am a strong advocate of the integrated PEG Access model. As stated before, if cable franchise fees were to go away tomorrow, I am fairly certain state sponsored "E" and "G" channels will continue to exist. I am also quite certain that "P" channels would not.

One of the reasons there has been so much wrangling in Hawaii and in other places about all this over the years is that it appears the stakeholders and policymakers have never really sat down to sort this all out in terms of defining these resources intelligently. Instead what we have had is a sad legacy of turf wars over limited money and resources.

It is time to revisit some fundamental truths and question old assumptions. It is time to publicly and legally challenge any argument to take away or to split P, E, G funds based on First Amendment principles and Federal Communications Law; diversify our funding base by embracing and exploiting new media; make sure that public interest provisions and funding mechanisms migrate to new community broadband paradigms; build our own public broadband infrastructure; petition the federal, state and local for redress of grievances through administrative proceedings and the courts; push for a change in federal law to get a percentage of cable modem and internet fees; consider statewide revenue sharing of franchise fees among access centers to benefit rural communities; develop open, democratic and inclusive Educational Access and Government Access models; and demand that federal and state policymakers act to replace derelict telecommunications regulation with meaningful reform

before we all miss the digital boat. If we stand up in the meeting rooms, at our civic gatherings, in the courts, in our council chambers, state capitols, media centers and on our screens, we just might muster the political will and bring enough financial resources to Community Media to help close the digital divide.

Whether or not the PEG Access community can join with other public media advocates fast enough to secure maximum public benefit for our local communities from cable, broadband, community radio and emerging new media technology remains to be seen. In any event, it is up to us. And for anyone who believes as I do that free speech extends into the airwaves we breathe, the air in which our greatest ideas and dreams travel, these endeavors are worthy of our best efforts.

Jay April, President and CEO

Akaku: Maui Community Television

SB1235 LATE TESTIMONY

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Bond	Individual	Oppose	No
Doug Phillips	Individual	Oppose	No
Jeff Sacher	Individual	Oppose	No
Brad Parsons	Individual	Oppose	No
Anne Thurston	Individual	Oppose	No
Sylvia Partridge	Individual	Oppose	No
Joan Conrow	Individual	Oppose	No
Diane Kanealii	Individual	Oppose	No
Marjorie Erway	Individual	Oppose	No
Henry Curtis	Life of the Land	Oppose	Yes
Karen Chun	Individual	Oppose	No
Benjamin Shafer	Individual	Oppose	No
David B. Fisher	Maui Venture Consulting LLC	Oppose	No

SB1235 LATE TESTIMONY

Submitted By	Organization	Testifier Position	Present at Hearing
healani chang	Individual	Support	No
Kealioluolu Gora	Individual	Support	No