

General Comments



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

July 31, 2008

RECEIVED
CABLE DIVISION
COMMERCE AND
CONSUMER AFFAIRS

2008 AUG -4 A 9:43 2008 AUG -5 A 9:57

A _____ P _____
DIRECTOR'S OFFICE
COMMERCE AND
CONSUMER AFFAIRS

COLLEEN HANABUSA
PRESIDENT
DONNA MERCADO KIM
VICE PRESIDENT
GARY L. HOOSER
MAJORITY LEADER
FRED HEMMINGS
MINORITY LEADER

FIRST DISTRICT
LORRAINE R. INOUE
SECOND DISTRICT
RUSSELL S. KOKUBUN
THIRD DISTRICT
PAUL WHALEN
FOURTH DISTRICT
SHAN S. TSUTSUI
FIFTH DISTRICT
ROSALYN H. BAKER
SIXTH DISTRICT
J. KALANI ENGLISH
SEVENTH DISTRICT
GARY L. HOOSER
EIGHTH DISTRICT
SAM SLOM
NINTH DISTRICT
LEO IHARA, JR.
TENTH DISTRICT
BRIAN T. TANIGUCHI
ELEVENTH DISTRICT
CAROL FUKUNAGA
TWELFTH DISTRICT
GORDON TRIMBLE
THIRTEENTH DISTRICT
SUZANNE CHUN OAKLAND
FOURTEENTH DISTRICT
DONNA MERCADO KIM
FIFTEENTH DISTRICT
NORMAN SAKAMOTO
SIXTEENTH DISTRICT
DAVID Y. IGE
SEVENTEENTH DISTRICT
RON MENOR
EIGHTEENTH DISTRICT
CLARENCE K. NISHIHARA
NINETEENTH DISTRICT
MIKE GABBARD
TWENTIETH DISTRICT
WILL ESPERO
TWENTY-FIRST DISTRICT
COLLEEN HANABUSA
TWENTY-SECOND DISTRICT
ROBERT BUNDA
TWENTY-THIRD DISTRICT
CLAYTON HEE
TWENTY-FOURTH DISTRICT
JILL N. TOKUDA
TWENTY-FIFTH DISTRICT
FRED HEMMINGS
CHIEF CLERK
CAROL TANIGUCHI

Mr. Lawrence Reifurth, Director
Department of Commerce and
Consumer Affairs
335 Merchant Street
Honolulu, Hawaii 96813

Mr. Clyde Sonobe, Administrator
Cable Television Division
DCCA
335 Merchant Street
Honolulu, Hawaii 96813

RE: Oceanic Time Warner Cable's Oahu Franchise Renewal

Dear Messrs. Reifurth and Sonobe,

Thank you for the opportunity to provide comments on Oceanic TWC's Oahu television franchise renewal. We have appreciated both your department's efforts to solicit comments from a wide range of community, public access, government and policy stakeholders, as well as those briefings organized by OLELO Community Television.

The purpose of this letter is to delineate several features that we believe should be included in your department's decision-making process involving Oceanic TWC's Oahu franchise application, and on future applications involving cable programming for the neighbor islands.

The technology challenges facing the State of Hawaii are unique when compared against the needs of other states whose proximity to other jurisdictions within continental US may lessen the obligations that cable franchisees are asked to undertake. In Hawaii, Oceanic TWC is essentially the state's only cable operator, and provides a multitude of community benefits as part of what have been remarkably forward-thinking DCCA requirements for the franchise period 1989-present.

Examples of such benefits include:

- Deployment of the I-Net and ongoing support for Hawaii's I-Net infrastructure, which is a fundamental part of the state's educational and public safety network;
- A strong commitment to funding PEG-access media programming, channel allocations and infrastructure development and upgrades;
- A long-term, stable funding stream to insure that Hawaii Public Television remains an integral part of the community media programming mix; and
- Innovative pilot projects initiated by OLELO Community Television to co-locate community centers within public schools or UH/Community College campuses, thereby stimulating development of high levels of media literacy skills in Hawaii's youth.

Against the rich mix of community benefits derived from the State of Hawaii-Oceanic Time Warner Cable agreements during the past 20 years, we believe the following areas should be incorporated into DCCA's franchise renewal agreement for Oahu — as well as for future neighbor island franchise agreements:

- An accelerated transition to digital from analog programming within a specified time frame (e.g., five-years). The work of the Hawaii Broadband Task Force has underscored the urgency of state action to encourage deployment of affordable, high-speed broadband for all Hawaii residents through appropriate incentives and/or regulatory mechanisms.

An accelerated timetable for transitioning into digital programming also offers significant opportunities for state and county governments to provide a wide range of services through interactive digital programming. Also, digital cable services for government, educational and health care facilities on Oceanic TWC's fiber network can enable a wide array of enhanced services.

- Strong requirements to assist PEG access providers and community stakeholders in making the transition from analog to digital programming and high-definition TV, including equipment upgrades, training and other facility enhancements.
- Provisions to ensure continued investment in future system upgrades in Hawaii, similar to the requirement of a Development Fund (Section 4, Decision and Order No. 153). This will assure that Hawaii's cable infrastructure continues to provide residents with leading-edge technologies and programming.
- Expand the number and use of co-located community centers on school campuses, since they provide a proven success model for building media literacy skills in community, as well as workforce development, contexts.

OLELO's successful *youth Xchange* Video Competition provides a vivid example of the impact of relatively minimal investments by OLELO Community Television, Hawaii Educational Networking Consortium, participating schools and private sector sponsors. Measured against its modest beginnings in 2003, the annual competition now includes participants from over 70 schools statewide and more than 450 submittals. The impact of award-winning entries can now be measured in the thousands among a worldwide audience.

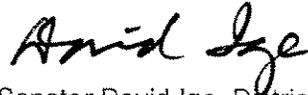
- Continued funding support for such community assets as Hawaii Public Television programming and the State's I-Net infrastructure.

When your department pursues specific areas of negotiation with Oceanic TWC, we would be happy to provide additional proposals for implementing some of the recommendations outlined above.

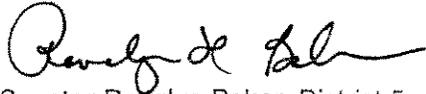
Sincerely,



Senator Carol Fukunaga, District 11
(Makiki/Punchbowl, Tantalus, Ala Moana)



Senator David Ige, District 16
(Pacific Palisades, Pearl City, Aiea)



Senator Rosalyn Baker, District 5
(South/West Maui, Kapalua, Lahaina, Kihei)



Senator Will Espero, District 20
(Ewa Beach, Ocean Pointe, Lower Waipahu)



Senator Gary Hooser, District 7
(Kauai, Ni'ihau)



Senator Les Ihara, Jr., District 9
(Paiole, St. Louis Heights, Kaimuki, Kapahulu)



Senator Clarence Nishihara, District 18
(Waipahu, Pearl City, Crestview)



The Senate
State of Hawaii

STATE CAPITOL

HONOLULU, HAWAII 96813

September 30, 2008

RECEIVED
2008 OCT -2 P 12:45

COLLEEN HANABUSA
PRESIDENT

DONNA MERCADO KIM
VICE PRESIDENT

GARY L. HOOSER
MAJORITY LEADER

FRED HEMMINGS
MINORITY LEADER

FIRST DISTRICT
LORRAINE R. INOUE

SECOND DISTRICT
RUSSELL S. KOKUBUN

THIRD DISTRICT
PAUL WHALEN

FOURTH DISTRICT
SHAN S. TSUTSUI

FIFTH DISTRICT
ROSALYN H. BAKER

SIXTH DISTRICT
J. KALANI ENGLISH

SEVENTH DISTRICT
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EIGHTH DISTRICT
SAM SLOM

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LES IHARA, JR.

TENTH DISTRICT
BRIAN T. TANIGUCHI

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SUZANNE CHUN OAKLAND

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TWENTY-FIFTH DISTRICT
FRED HEMMINGS

CHIEF CLERK
CAROL TANIGUCHI

Mr. Lawrence Reifurth, Director
Department of Commerce and
Consumer Affairs
335 Merchant Street
Honolulu, Hawaii 96813

Mr. Clyde Sonobe, Administrator
Cable Television Division
DCCA
335 Merchant Street
Honolulu, Hawaii 96813

RE: Oceanic Time Warner Cable's Oahu Franchise Renewal

Dear Messrs. Reifurth and Sonobe:

Thank you for the opportunity to provide comments on Oceanic Time Warner Cable's (TWC) Oahu television franchise renewal. As a follow-up to the earlier submittal sent on July 31, 2008, we request the following additional information from your agency:

1. What's the total dollar amount of Oahu PEG access, PBS Hawaii and CATV/I-Net allocations by TWC for the period 2003-2008?
2. Where does TWC provide digital broadband services on Oahu?
3. Does TWC provide all levels of digital broadband services to all of the areas in which it currently provides cable services?
4. If not, what areas of Oahu have digital broadband services? What areas do not? What are some of the obstacles to providing all levels of digital broadband services to all of the areas covered by TWC services (e.g., network capability, cost, other factors)?

Thank you for your assistance in obtaining this information.

Sincerely,

Senator Carol Fukunaga, District 11
(Makiki/Punchbowl, Tantalus, Ala Moana)

Senator David Ige, District 16
(Pacific Palisades, Pearl City, Aiea)

- c: Senator Rosalyn Baker, District 5
- Senator Gary Hooser, District 7
- Senator Les Ihara, Jr., District 9
- Senator Clarence Nishihara, District 18



LINDA LINGLE
GOVERNOR
JAMES R. AIONA, JR.
LT. GOVERNOR

STATE OF HAWAII
CABLE TELEVISION DIVISION
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET
P. O. Box 541
HONOLULU, HAWAII 96809
(808) 586-2620
FAX (808) 586-2625

LAWRENCE M. REIFURTH
DIRECTOR
CLYDE S. SONOBE
CABLE TELEVISION ADMINISTRATOR

October 6, 2008

The Honorable Carol Fukunaga
State Senator
State Capitol
415 South Beretania Street, Room 216
Honolulu, Hawaii 96813

The Honorable David Y. Ige
State Senator
State Capitol
415 South Beretania Street, Room 215
Honolulu, Hawaii 96813

Dear Senators Fukunaga and Ige:

Thank you for your letter dated September 30, 2008 regarding broadband services provided by Oceanic Time Warner Cable (OTWC). Senator Fukunaga, as we discussed after my receipt of your letter, I contacted Mr. Kiman Wong of Oceanic and requested that he provide responses to questions 2. through 4. of your letter. The Department will provide responses to question 1., regarding fees, and you planned to contact the University of Hawaii regarding specific I-NET matters.

1) Franchise Fees received by the following entities for 2008:

'Olelo Community Television	\$4,503,406
Capital Fees	\$823,000
PBS Hawaii	\$2,687,515*
* statewide amount	
DCCA Cable TV Division	\$144,521*
* due to moratorium '05 thru '07	

2) Where does TWC provide digital broadband services on Oahu?

OTWC is capable of providing digital broadband services to nearly all residential areas of Oahu. OTWC cable facilities pass 99% of the households in Hawaii. However, although we have cable facilities on the street, there are some exceptions on who can subscribe to these services. These exceptions are primarily older multi-story apartment buildings that do not have upgrade cable inside the building. Here's a link to Oceanic's website on this topic:

<http://www.oceanic.com/OceanicWebApps/Internet/RoadRunner/Availability.html>

3) Does TWC provide all levels of digital broadband services to all of the areas in which it currently provides cable (TV) services?

OTWC is capable of providing all levels of digital broadband services to all areas on Oahu that have upgrade cable video coax cable (i.e., able to receive Digital Cable Service). The most common residential service OTWC provides is the Road Runner High Speed Online service which has download speeds of up to 15.0, 8.0, 5.0 and 1.5 mega bits per second and up to 1.0 mega bit per second upload speed except for the lowest level which has 384 kilo bits per second upload speed. There are other speeds and options available to commercial customers.

4) If not, what areas of Oahu have digital broadband services?

All areas are capable of all levels of digital broadband except the non-upgraded cable locations noted above.

What areas do not?

The non-upgraded cable locations noted above cannot receive any digital broadband service.

What are some of the obstacles to providing all levels of digital broadband services to all of the areas covered by TWC services (e.g., network capability, cost, other factors)?

There could be many reasons that prevent OTWC from providing all levels of digital broadband services to all areas. Here are some of the

The Honorable Carol Fukunaga
The Honorable David Ige
October 6, 2008
Page 3

biggest obstacles at this time:

- a. Lack of Right of entry agreements preclude OTWC from upgrading cable plant in the remaining multi-buildings. These are usually controlled by the building owner or the building associations.
- b. Time and cost to obtain permission to build facilities in public rights of ways. If there are no available infrastructure (conduits and poles) to install cable facilities in, new construction is required.
- c. The economic viability to build to individual residences or low density areas. If the cost for facility construction cannot be shared amongst multiple customers, individual customers must be willing to pay the higher cost. For example, a single home a mile off of the public road needs a cable drop of a mile.

Thank you again for this opportunity to assist you. Please call me if you require any additional information.

Very truly yours,



CLYDE S. SONOBE
Cable Television Administrator

- c: Senator Rosalyn Baker
Senator Gary Hooser
Senator Les Ihara, Jr
Senator Clarence Nishihara
Lawrence M. Reifurth, DCCA
Kiman Wong, Oceanic

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
TELEPHONE: (808) 523-4141 • FAX: (808) 527-5552 • INTERNET: www.honolulu.gov

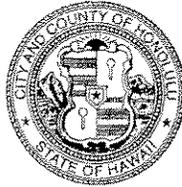
CABLE DIVISION
COMMERCE AND
CONSUMER AFFAIRS

2008 SEP 30 A 9: 27

A E P S

FILE

MUFU HANNEMANN
MAYOR



September 26, 2008

Mr. Clyde Sonobe
Administrator
Cable Television Division
Department of Commerce and Consumer Affairs
P.O. Box 541
Honolulu, Hawaii 96809

Dear Mr. Sonobe:

Thank you for permitting the City and County of Honolulu to submit comments on the franchise renewal for Oceanic cable television.

During our meeting with you and your consultants, we offered a number of recommendations and inquiries regarding increased funding for City program productions, the consistently poor quality of all Olelo broadcast signals, and other related matters. As a follow-up to our discussions, and at your suggestion, we are now submitting requests that your department may consider in its negotiations with Oceanic, or as actions to take beyond the scope of the renewal process.

Analog channels: Six analog channels have been designated for public, education, and government (PEG) access. At a minimum, we hope that the DCCA will continue to reserve those six analog channels for PEG to preserve the overall capacity already designated for community television.

PEG funding: We are seeking more funding to develop and produce programming for the City government from the cable fees required of the cable franchisee. The City, for example, receives about \$40,000 a year from Olelo to produce two half-hour reports every two weeks. However, we also appropriate money from the general fund to supplement the cost of production, while the City Council allocates more than \$200,000 to broadcast its public hearings. Perhaps a larger share of the franchise fees could be allocated directly to the county and state governments for our broadcasts, as is now being done with the educational institutions that air programs on public access television.

High-definition TV: Advancements in television technology will likely prompt a call for a change in screen format from SD to HD (aspect ration 4:3 to 16:9).

Infrastructure: The City and County of Honolulu, through its Department of Information Technology, is requesting the following connections to strengthen public safety and emergency management communications:

- Keeau Beach over Kaena Point to Waialua Corporation Yard
- Fasi Municipal Building and 3375 Koapaka Street (ambulance dispatch center)
- Ocean Pointe (Ewa) Fire Station to Kapolei Hale
- Kalihi Kai Fire Station (Waiakamilo Street) to City's network
- Kuakini Fire Station to the Fire Department headquarters
- Waipahu Fire Station to Kapolei Hale
- Waiau Fire Station to Pearl City Fire Station
- Kuakini Fire Station to Nuanu Fire Station
- Waikele Fire Station to fiber ring between Pearl City and Mililani
- Waialua Fire Station to Waialua Corporation Yard
- Haaula Fire Station to fiber ring
- Makakilo Fire Station to Kapolei Hale
- Fire Boat Station to City network
- Aircraft station to City network
- 91-1205 Renton Road to Kapolei Police Station
- Traffic cameras from Pearl City Police Station to Mililani, Wahiawa, and the North Shore
- Traffic cameras from Kaneohe to Kahuku, Laie, Hauula, Kaaawa, Punaluu, and Kahaluu
- Kahuku Police Station to Marconi Road for 800 MHz coverage
- Kaneohe Police Station to Hunalepo Street for 800 MHz coverage
- Keeau Beach radio site to Yokohama bay for 800 MHz coverage
- Kaneohe Police Station to Kaneohe Corporation Yard

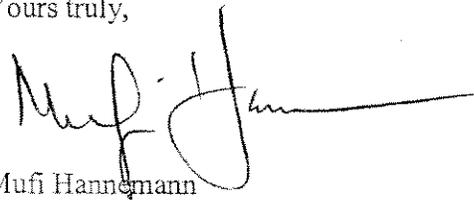
Mr. Clyde Sonobe
September 26, 2008
Page 3

- Kaneohe Police Station to Kaneohe District Park
- Mililani Fire Station to Mililani District Park
- Waipahu Fire Maintenance Yard to Waipahu District Park
- Waialua District Park to Waialua Corporation Yard
- Waianae Regional Park to Waianae Fire Station
- Wahiawa Corporation Yard to Wahiawa Fire Station
- Kahuku District Park to Kahuku Police Station
- Kualoa Regional Park to Kaaawa Fire Station
- Kailua Corporation Yard to Olomana Fire Station
- Waimanalo District Park to Waimanalo Fire Station
- Kilauea District Park to East Oahu Police Station
- Manoa Valley District Park to Manoa Fire Station
- Makiki District Park to Makiki Fire Station
- Kalihi Valley District Park to Kalihi Police Station
- Salt Lake District Park to Moanalua Fire Station
- Aiea District Park to Aiea Fire Station
- Waiiau District Park to Waiiau Fire Station
- Fasi Municipal Building to 500 Ala Moana Boulevard (5 Waterfront Plaza)

We appreciate this opportunity to offer our comments. Questions regarding this matter may be directed to Gregg Hirata of my office, at 523-4051 or ghirata@honolulu.gov.

With warm regards and aloha,

Yours truly,

A handwritten signature in black ink, appearing to read 'Mufi Hannemann', with a long horizontal line extending to the right.

Mufi Hannemann
Mayor



"Rep. Glenn Wakai"
<repwakai@capitol.hawaii.gov>

07/09/2008 07:39 PM

To <Clide.Sonobe@dcca.hawaii.gov>
cc
Subject

Dear Mr. Sonobe,

I have attached a letter outlining some of my concerns on Olelo's operations and changes I would like to see with the franchise fee. I know their contract renewal with your office is coming up soon. I still would like to work with you on legislation that cleans them up.

Thank you for giving me the opportunity to weigh in on this discussion.

Aloha,
Glenn

Glenn Wakai
Hawaii State Representative

Moanalua-Salt Lake-Aliamanu
State Capitol #316
Honolulu, Hawaii 96813
Tel: (808) 586-6220
Fax: (808) 586-6221



DCCA - Olelo '08 (2).doc



HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

July 9, 2008

Clyde Sonobe
Cable Television Administrator
Dept. of Commerce and Consumer Affairs
1010 Richards Street
Honolulu, Hawaii 96809

Dear Mr. Sonobe,

Community television is a wonderful medium to hear about issues not always covered by mainstream media. However, I have some concerns on how the PEG's in Hawaii operate, particularly how they expend the franchise fee given to them by the state. With a budget based on a 4.5% franchise fee from cable operators, I understand Honolulu has the third highest franchise fee assessment in the nation. Only cable communities in New York City and Chicago bring in more money. I find that fact to be startling.

Since I am most familiar with Olelo, my comments are directed towards its operations and not the other neighbor island entities. I raise the following concerns:

1. Prior to entering the world of politics, I worked as a news reporter in two of the four network affiliates in town. From what I have seen, Olelo's facility and equipment are cutting edge. Hawaii residents paid \$7.2-million for PEG and Public TV stations in 2006. How was that money spent?
2. The franchise fee has turned into an entitlement to PEGs. Cable companies have to fight to increase its market share, while Olelo sits back and collects its franchise fee. Perhaps you can look into constructing a tiered fee structure where Olelo's take is based on viewership — a larger audience will fetch more money, a reduction in interest will come with a cut in their budget. There needs to be an incentive for community television to be run more competitively.
3. Is it necessary to have five channels of programming? Denver, a city much larger than Honolulu, has three community access channels, Seattle has two, and Knoxville a TV market similar in size to Honolulu has ONE community access channel. In Knoxville, only series have set times for airing, all other single productions are given time slots by lottery. By comparing Olelo's resources with community television stations across the

nation, perhaps we have an over capacity of channels. I understand many Olelo programs are repeated an average of four times. In commercial television, you rarely repeat any program.

4. Finally, if Olelo's mission is to encourage community programming, why do they air German and other European newscasts late at night? I question the wisdom of burdening local cable subscribers with paying for the airing of foreign programming.

I believe Olelo fills a very important need in our community. It has a slew of well-produced shows, but in this age of dwindling resources, community television needs to stay lean and focused on its mission. Community television will never be profitable or command a huge audience, but that should not be an excuse for complacency. If the state mandates cable operators pay a franchise fee, we have a responsibility to ensure that money is being spent wisely.

Aloha,

Glenn Wakai
State Representative
Moanalua-Salt Lake



Ray Lovell
<rlovell@scd.hawaii.gov>
10/15/2008 08:16 AM

To "gchock@dcca.hawaii.gov" <gchock@dcca.hawaii.gov>
cc George Burnett <gburnett@scd.hawaii.gov>, Thomas Simon
<tsimon@scd.hawaii.gov>, Edward Teixeira
<eteixeira@scd.hawaii.gov>, Shelly Ichishita
bcc

Subject Civil Defense/Cable TV Franchise Document

History:

↳ This message has been forwarded.

Glen,

The State Civil Defense Document having to do with Time Warner Oceanic Cable's franchise extension request is attached.

Ray Lovell
State of Hawaii - Civil Defense Division
Ph: 733-4300 ext. 524 - Fax: 733-4287
Email: rlovell@scd.hawaii.gov



SCD CABLE-TV FRANCHISE REQUESTS Edited .doc

HAWAII STATE CIVIL DEFENSE SUBMISSION TO THE DEPARTMENT OF
COMMERCE AND CONSUMER AFFAIRS RELATING TO THE RENEWAL OF
OCEANIC TIME WARNER'S OAHU CABLE TELEVISION FRANCHISE

October 15, 2008

Emergency Alert System

(a) Oceanic Time Warner shall configure and maintain its System to permit emergency authorities to originate Emergency Alert System (EAS) activations remotely controlling audio and video Channels. Emergency authorities shall include the Director of Civil Defense and any other Person designated by the Director.

(b) The Emergency Alert System implementation shall provide for activation from emergency operations centers for both voice and video messages.

(c) The video display during emergency voice messages may be a State, Civil Defense, or other official emblem, or minimally include a text message crawl depicting the nature of the alert.

(d) The voice feed from the Emergency Alert System shall be transmitted by a combination landline and a radio distribution system similar to the system presently used by radio broadcast stations.

(e) Oceanic Time Warner shall maintain an Emergency Alert System RP receiver of the same type which cable or radio broadcast stations are required by the FCC to purchase.

(f) Oceanic Time Warner shall maintain a fiber optic drop and Basic Service at no cost to the State Emergency Operating Center at Diamond Head Tunnel.

(g) Oceanic Time Warner shall permit tests of the Emergency Alert System in a manner and on a frequency as requested by the Director of Civil Defense.

(h) Oceanic Time Warner shall maintain at no cost a fiber optic line for voice and video upstream capability to Oceanic Time Warner's master headend from the studio at the State emergency operating center at Diamond Head Tunnel.

(i) Oceanic Time Warner shall provide a bidirectional interconnection capability for the Emergency Alert System described herein, between its System and other cable systems and telecommunication systems as required by the Director. Such interconnection capability shall be capable of bidirectional transmissions of voice, video, and computer data and utilize inter-island telecommunication systems.

(j) At no charge or cost to the State, Oceanic Time Warner shall provide voice, video, and data capability and maintenance for interconnections between

the System and all Oahu broadcasters to support Common Alerting Protocol (CAP) messages. CAP enhances the Emergency Alert System, providing a much more robust delivery of emergency information to the broadcast and cable industry. Oceanic Time Warner will support the interfacing of the CAP system with commercial wireless providers once the FCC has established provisions for emergency warning via commercial wireless systems.

(k) Oceanic shall cooperate fully with the Director of Civil Defense and any other emergency authorities designated by the Director in the planning and implementation of the Emergency Alert System.

Emergency Public Information

(a) Oceanic Time Warner shall provide, at no cost, capabilities to support dedicated full-frame, high definition, fiber optic video links and audio connections between the SCD Media Center in Building 303 in Diamond Head Crater and the four commercial television stations in Honolulu which operate news departments and originate live news coverage from remote locations. At present those television stations are KITV, KHON, KGMB, and KHNL.

(b) Oceanic Time Warner shall provide, at no cost, capabilities to support dedicated fiber optic audio links between the SCD Media Center in Building 303 in Diamond Head Crater and the two state primary Emergency Alert System radio stations, KSSK and KRTR plus Hawaii Public Radio stations, KHPR/KIPO.

(c) Oceanic Time Warner shall provide, at no cost, capabilities for bi-directional emergency communications between the State (EOC) and each of the four county EOC's.



"M A" <amagab@gmail.com>
Sent by: atterbom@gmail.com

07/03/2008 08:25 AM

To: cabletv@dcca.hawaii.gov
cc
bcc

Subject: don't renew without conditions

History:  This message has been forwarded.

We need more competition here in Hawaii when it comes to cable TV, VoIP, and internet services. You can't renew the State's contract with Oceanic Time Warner without allowing competition or setting some conditions. Please take a look elsewhere to see how much cheaper the above mentioned services are. It's ridiculous that I should be paying close to \$200 for the services I get through OTW when it can be gotten for less than half the price elsewhere.

This should be an open market. PLEASE ALLOW COMPETITION!!!

Thanks,

Mattias Atterbom
Kaneohe

07/15/2008 03:22 PM



Esther Zukeran/DCCA
07/15/2008 03:22 PM

To Clyde Sonobe/DCCA@DCCA, Glen WY
Chock/DCCA@DCCA, Lauren K Wong/DCCA@DCCA,
Patti K Kodama/DCCA@DCCA
cc Lawrence M Reifurth/DCCA@DCCA

bcc

Subject Phone Call Re: Franchise Meeting

Jim Camara called at 2:40 pm and wanted to express his concerns about the Franchise Agreement meeting. He said that not as many people are able to attend the meeting or give testimony if it is at 4:00 pm. Meeting should be held in the evening or at a later time, or have two meetings. Another suggestion that Mr. Camara had was to go to the Community Boards. Regarding public access (PEG), he feels that it is important to keep all three on Public TV. He stated that he is concerned about Public access for people to use Olelo's facilities.

He also wanted to know if more time could be given to notify the public of these meetings, like a month.



Linda-Mei Jaress
<ljaress@hotmail.com>

07/18/2008 05:05 PM

To <cabletv@dcca.hawaii.gov>

cc

bcc

Subject Opposition to renewal of Oceanic's franchise

Dear Sir or Madam:

I oppose renewal of Oceanic's franchise because Oceanic's customer service is beyond poor.

Consider for example, the contrast in Oceanic's telephone protocol for signing up new customers vs. the protocol for handling customer reports of service disruption smacks of arrogance toward the consumer:

Selecting from Oceanic's phone menu to sign up for service, promptly brings you a recording that allows you the option to leave a call back number; the recording further informs you of the estimated amount of time that will elapse before you receive the call back.

In contrast, if one calls intent on reporting a disruption of service, the only phone menu prompt option is "to speak to a technician." Selecting that option drops you into muzak-on-hold-hell. And after suffering the interminable on-hold wait, the Oceanic "technician" who finally answers turns out to be only a clerk who books appointments (one week in the future is hardly unusual). If, after booking an appointment, you tell the "technician" that you feel you should not be charged for service since (as happened to me) you are receiving less than one-half of your channels, you will be informed that **after** the repair is made, then **you need to call** to request a credit!

Oceanic's message to the consumer is clear: Oceanic is eager to help if you want to sign up; but if you have service problems, then Oceanic will take its own sweet time, thank you very much!

And the final straw -- when I said I wanted to tell a supervisor of my suggestion that the same telephone protocol for new business be used for service interruption reports, I was again dropped into muzak-on-hold hell.

Linda-Mei Jaress

P.S. If I should be addressing to the PUC instead, let me know.

Stay in touch when you're away with Windows Live Messenger. [IM anytime you're online.](#)



Bob Kern
<mickibob@hawaiiante
l.net>

08/08/2008 06:51 AM

To Cabletv@dcca.hawaii.gov

cc

bcc

Subject Comment on Oceanic Service

Hello - Please accept these comments on Oceanic TV's performance in lieu of the questionnaire on your web page.

I am perplexed and disappointed in Oceanic's programming regarding its weekend airing of Book TV picked up from CSPAN 2. CSPAN2 advertises Book TV as 48 hours of programming on the weekends yet Oceanic has chosen to air the program only from 5am - 5pm (6am - 6pm during the Mainland's daylight savings time). At precisely 5 pm, the Book TV program in progress is cut off and replaced with a jewelry sales program.

This is not in the best interest of the public. Rather than continue a program that is interesting, educational and thought provoking, viewers are switched to a sales program. Even if there is a good reason for depriving the public of useful information, there is no good reason I can imagine to cut off the program in progress.

At a minimum, Oceanic should make consumers aware of why they choose to cut off informative programming. Hopefully, this practice will stop and Book TV will air all weekend.

I hope you will take my comments into consideration during Oceanic's franchise renewal process.

Thank you

Bob Kern
1615 Wilder Avenue, #601
Honolulu, Hawaii 96822
943 9241



"Duane Roberts"
<dcr2@byuh.edu>
10/13/2008 10:21 AM

To <cabletv@dcca.hawaii.gov>
cc "Duane Roberts" <duane.roberts@byuh.edu>
bcc
Subject BYU-Hawaii input on new cable franchise hearing
for submission October 13, 2008

By this email dated 13 October, 2008, I want to provide you with our input with respect to the new cable franchise that you will soon negotiate with Oceanic Time Warner and the rules by which those negotiations will be held. Brigham Young Hawaii's (BYUH) is one of the state's major private universities, but we are also an integral part of the community along the Ko'olau Loa coastline. This includes the towns of Kahuku, Hauula and Laie. My comments are related to the needs of those communities and how some of those needs can be met within the community benefits package that will be part of the new franchise. Following whatever rules or legislation is appropriate, we urge you keep keen sight of the following key points in your decision making.

Our communities are remote and it takes a special effort to travel to downtown Honolulu to participate in events that concern us. Whether these are sessions of the Legislature, City Council, Board of Education, or even your franchise meeting that was held at McKinley High School, the costs in time and fuel make it difficult for us to exercise our civic responsibilities.

BYUH would like the new franchise and related rulemaking to require improvements to the cable system that will directly benefit the public. The first would be bi-directional connectivity to allow us to communicate with our government downtown by video teleconferencing. On other occasions when major community meetings are held here, such as the meetings concerning hotel development, the voices of everyone throughout Oahu could be heard.

There are many community events in our communities that would benefit by live cable casting, but that is not possible without a satellite uplink. BYUH hosts a major international basketball tournament each year, and many cultural event originate here. We believe that, with the help of Olelo Community Television, these could be made available for everyone on Oahu to enjoy.

Finally, we would want assurances that the signal quality of community programs is equal to the quality of commercial

programs. There need to be quality control requirements in the new franchise to continually monitor signal quality of community programming throughout the island and to keep that quality consistently high on all of the channels.

Over the years, BYUH has had a strong partnership with Olelo Community Television. The two of us have shared equipment and staff and collaborated on projects. I believe that everyone concerned has benefitted from this. However, I know that even this relationship could be improved. As I understand it, Olelo has had its revenues from the current franchise capped. Because of this, they have incurred a deficit for the past three years and operating hours have been limited because added staff cannot be hired. Clearly, there is a community demand for Olelo's services, and I strongly recommend that the cap be lifted when the new franchise is negotiated—or even earlier if that is within your discretion.

As the franchise renewal process moves forward, please take this opportunity to negotiate with Oceanic Time Warner for additional benefits for all of our community.

Sincerely,

Duane C. Roberts
Director of University Relations & Communications
Brigham Young University Hawaii



"Carol Bain"
<bain@kauai.net>
Sent by:
bainwise@gmail.com

07/30/2008 09:41 AM

To cabletv@dcca.hawaii.gov

cc

bcc

Subject Input from CMPA for July 31 deadline

Aloha Cable TV Division,
A few formatting problems were noticed in the first .doc
attachment I sent a few minutes ago.
Please disregard the first attachment and receive this one
instead.

Mahalo

--



- Carol Bain - July31 input Dcca.doc

C M P A

Community Media Producers Assn.

1658 Liholiho Street, #506, Honolulu HI, 96822

<http://www.kauai.net/cmpa/>

MEMO July 30, 2008

FROM: Carol Bain, CMPA president, bain@kauai.net

TO: DCCA Email: cabletv@dcca.hawaii.gov

Fax: (808) 586-2625

DCCA-CATV

P.O. Box 541

Honolulu, Hawaii 96809

RE: input on PEG access recommendations due by 7/31/08

Over the years of watching the current PEG access providers in operation, CMPA has seen many problems including the failure to provide nondiscriminatory access and a +15-year violation of state procurement laws. Current PEG service providers have used state-mandated franchise fees to promote their own political agenda. The fact that they are using state-mandated funds to promote their own agenda through the courts and through the media is ironic, yet they appear unaware of their arrogant behavior. Funds should be used to empower individual free speech, not promote a private agenda of a nonprofit organization that refuses to meet its original mission.

All four of the current PEG service providers have an agenda, which is to secure their own funding by thwarting the state procurement laws. They do not want to be required to be open and accountable. These nonprofit corporations act as the determiners of free speech, and even put up [a joint website](#), besides using PEG access channels and separate websites, to propagandize. This website urges a call to action, and even states that the DCCA is engaging in an "unlawful request for proposal (RFP) process." http://www.freespeechhawaii.org/?page_id=9

CMPA offers the following recommendations to DCCA to include into future PEG access franchise related agreements and renewals. Include this clear statement in the franchise agreements related to Public Access:

The Access Organization shall establish and enforce rules for the noncommercial use of the PEG access channels:

- *to assure nondiscriminatory access to the channels to eligible users*
- *to promote the use and viewing of the channels, consistent with the obligation to provide nondiscriminatory access to eligible users*

Regarding the above, any Access Organization that does not comply may be ineligible to bid on future RFP's. Should the Access Organization fail to establish or enforce rules, DCCA can build

in penalties. For instance, if rules are not established within one year, a substantial (EG: \$5,000) fine will accrue on a daily basis. Another result could be loss of eligibility to respond to future PEG access related RFPs.

The Community Media Producers Association (CMPA) supports competitive, open bidding through the State procurement process for PEG access and compliance with state procurement law.

CMPA recommends DCCA consider the management and funding of the public, education, and government access television services be separated into three distinct sectors to ensure transparency, oversight and accountability.

CMPA also recommends consideration of the following points:

1. Split the PEG funding into three allocations: Public, Education & Government.
2. Raise the franchise fee to 5%
3. Allocation of franchise fee to be split to fund 3% for the Public, and 2% for Government (Education is part of government)
4. Let E and G sectors determine how to allocate their own (2%) funding to meet their mission(s)
5. Should DCCA wish to fund KHET Public Television with franchise fees, take these funds from the 2% Government allocation
6. Follow state procurement law to release a RFP for Public Access services
7. Encourage new technology through competitive bidding
8. Each franchise duration will be no longer than 8 years
9. Contractually require the successful Public Access service provider to strictly comply with all applicable state open records and sunshine law.
10. Contractually require the successful Public access service provider to strictly comply with their first-come, nondiscriminatory mission
11. Contractually require the successful Public access service provider to be "membership" based organization
12. Do not appoint board members. Instead, contractually require the successful Public access service provider to define in their bylaws an open elections process for the board
13. Define penalties for noncompliance with first come non-discriminatory access
14. Designate 50 % of INET available for "P" purposes
15. Provide at least 2 (possibly 3) channels designated solely for "Public" access
16. Provide at least 2 channels designated solely for "Government" access
17. The "Government cable operator" shall provide on demand archiving of all government proceedings for access through the Internet, their cable system or both. (Legislature. City/County Councils, Neighborhood boards, etc.)
18. Request 1 gigabit (1 GigE) or better bandwidth speeds
19. Encourage P E G collaboration on provision of statewide server (Hitube)
20. Require hotel cable trunks to carry PEG Channels

Thank you for your time and consideration.