

NEIL ABERCROMBIE
GOVERNOR



KEALI'I S. LOPEZ
INTERIM DIRECTOR

BRIAN SCHATZ
LT. GOVERNOR

DONN A. YABUSAKI
CABLE TELEVISION ADMINISTRATOR

STATE OF HAWAII
CABLE TELEVISION DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
335 MERCHANT STREET
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November 15, 2012

VIA EMAIL & U.S. MAIL

Mr. J Robertson
Managing Director
Ho'ike: Kauai Community Television
4211 Rice Street
Lihue, HI 96766

Re: Application of Ho'ike: Kauai Community Television for Designation of a PEG
Access Organization on Kauai

Dear Mr. Robertson:

On October 4, 2012, the Department of Commerce and Consumer Affairs ("DCCA") received a written Application from Ho'ike: Kauai Community Television ("Ho'ike"), to provide public, educational, and governmental ("PEG") access services on Kauai ("Application"). In its Application, Ho'ike is requesting to be designated as a PEG access organization to oversee the development, operation, supervision, management, production and broadcasting of programs of PEG access facilities and equipment on Kauai.

The Department of Commerce and Consumer Affairs ("Department") requires certain additional information from Ho'ike in order to complete the review and processing of the Application. Accordingly, please provide the requested information in the attached Department of Commerce and Consumer Affairs' First Request for Information on or before December 17, 2012.

Thank you for your cooperation in this matter. If you have any questions, please call me at 586-8395 or Lauren Wong at 586-7579.

Sincerely,

A handwritten signature in black ink that reads "Donn Yabusaki".

DONN YABUSAKI
Cable Television Administrator

Enclosure

**APPLICATION TO PROVIDE PEG ACCESS SERVICES
BY HO'IKE: KAUAI COMMUNITY TELEVISION
COUNTY OF KAUAI**

**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
FIRST REQUEST FOR INFORMATION**

November 15, 2012

Each question should be answered separately, and copies of source documents should reference the question being answered. Ho'ike: Kauai Community Television ("**Applicant**") shall answer each question fully and completely, and to the extent the question or any subpart is not applicable, the Applicant should explain why it is not applicable. If any information or documents provided by the Applicant are updated and amended after the date the Applicant submits its response and during the designation and selection process, then the Applicant shall provide the updated or amended information or documents immediately to DCCA.

1. Please provide a copy of Applicant's latest financial audit to DCCA for public review. If the Applicant believes that it previously submitted a copy of the audit to DCCA, please confirm the submission date.
2. State the address and telephone number for Applicant's satellite facility in Kilauea and describe the services and facilities available at this location.
3. Please provide the operating hours for Applicant's facilities in Lihue and in Kilauea and how often are training classes held in each facility.
4. Page 11 of the Application contains an organizational chart.
 - a. State which staff positions are based in 1) the Lihue facility, and 2) the Kilauea facility.
 - b. Are all positions filled?
5. For each PEG Access Channel, state the total hours of first-run programming for each of the years 2009 to 2011. For 2012, state the total hours of first-run programming for each quarter (i.e., January to March, April to June, July to September).
 - a. For each PEG Access Channel, state the total hours of repeat programming for each of the years 2009 to 2011. For 2012, state the total hours of repeat programming for each quarter (i.e., January to March, April to June, July to September).

- b. Does Applicant include "bulletin board" programming as "first-run programming?"
 - c. For each PEG Access Channel, state the total hours of "bulletin board" programming for each of the years 2009 to 2011. For 2012, state the total hours of "bulletin board" programming for each quarter (i.e., January to March, April to June, July to September).
6. For each PEG Access Channel, state the total hours of local origination programming for each of the years 2009 to 2011. For 2012, state the total hours of local origination programming for each quarter (i.e., January to March, April to June, July to September).
7. For each PEG Access Channel, state the total hours of programming by PEG Trained/Certified Producers for each of the years 2009 to 2011. For 2012, state the total hours of programming by PEG Trained/Certified Producers for each quarter (i.e., January to March, April to June, July to September).
8. For each PEG Access Channel, state the total hours of programming by "open mic" for each of the years 2009 to 2011. For 2012, state the total hours of "open mic" programming for each quarter (i.e., January to March, April to June, July to September).
9. For each PEG Access Channel, state the total hours of programming that Applicant's staff produced and videotaped for each of the years 2009 to 2011. For 2012, state the total hours of programming that Applicant produced and videotaped for each quarter (i.e., January to March, April to June, July to September).
10. Describe Applicant's video-on-demand services. What is the Video-on-demand channel? State the total hours of video-on-demand programming for each of the years 2009 to 2011. For 2012, state the total hours of "open mic" programming for each quarter (i.e., January to March, April to June, July to September).
11. What steps will Applicant take to increase the number of first-run programming hours over 1) the next 5 years, and 2) over the contract term?
12. What steps will Applicant take to increase the number of hours for local origination programs over 1) the next 5 years, and 2) the contract term?
13. On page 2 of the Application, Applicant states that it has a history of partnerships within the community that provides a mechanism for residents to express their First Amendment rights.
 - a. State the specific partnerships that were formed with different community, educational and governmental organizations during the past 3 years.

- b. Provide any written agreements or documents that formalize the relationship, expectations, or deliverables mutually agreed upon between Applicant and the community, educational and governmental organizations.
14. On page 17 of the Application, Applicant states that it plans to expand services and opportunities to more than 200 non-profit and community organizations, and on page 19, Applicant states that it plans to extend relationships and partnerships with an expanding network of community groups.
15. On page 19 of the Application, Applicant lists its Short-Term Plans.
 - a. Describe in detail Applicant's plans and timetable to expand services to these organizations over 1) the next 5 year period, and 2) over the contract term.
 - b. What are Applicant's specific plans to staff these activities?
16. On page 16 of the Application, Applicant describes the training classes offered to the public.
 - a. Provide a breakdown of the number of hours and number of students taking each class during the past 3 years for each training class.
 - b. State the number of hours of training required for a producer to be certified by Applicant.
 - c. Describe in detail Applicant's plans to expand training services to the public for 1) the next 5 year period, and 2) over the contract term.
17. On pages 16 and 17 of the Application, Applicant states that it has developed strong relationships with Kauai's public, charter and immersion schools.
 - a. Does the Applicant provide video production services to these schools? If yes, then describe such services and the number of hours provided to the schools each year during the past 3 years.
 - b. State the number of hours of specialized training in studio and field production, documentary film making and editing provided to these schools each year during the past 3 years?
 - c. Describe in detail Applicant's plans to expand services to schools and educational institutions on Kauai for 1) the next 5 year period, and 2) over the term of the contract.
 - d. What are Applicant's specific plans to staff these activities?

18. On page 17 of the Application, Applicant states that it provides video production services to County of Kauai government agencies.
 - a. Describe in detail the type of video production services provided; the names of the different governmental agencies; the number of hours of video production services provided; the types of governmental hearings, meetings, and events; whether the Applicant received any type of compensation, monetary or otherwise for its services.
 - b. Provide any written agreements or documents that formalize the services being provided, expectations, or deliverables mutually agreed upon between Applicant and the County of Kauai government agencies.
 - c. State the hours of governmental programming that Applicant itself has produced as a percentage of the total programming broadcast on Applicant's Channels).
 - d. Describe Applicant's plans in detail to expand/service governmental agencies over 1) the next 5 year period, and 2) the term of the contract.
 - e. What are Applicant's specific plans to staff these activities?
 - f. What are the specific steps the Applicant has undertaken to extend governmental access services to the federal government agencies?
 - g. Does the Applicant provide equipment and facilities to government agencies for their use in video production?
19. Provide a copy of Applicant's most recent Strategic Plan and any detailed plans/timeline to update the Strategic Plan.
 - a. If the Applicant does not have a current Strategic Plan, what is the anticipated date for the Applicant to develop an updated 5-year Strategic Plan?
 - b. Does the Applicant have any plans to include outside consultants or resources to assist in the development of its Strategic Plan?
 - c. If Applicant does not have a current 5-year Strategic Plan, how does Applicant determine what equipment to purchase?
20. Provide a copy of Applicant's operational plan for 2012-2013 for public review.
21. On page 19 of the Application, Applicant states that it will transition and develop High Definition (HD) technology depending upon and with the cooperation and assistance of the cable operator in the digital and HD tier of service. Please provide the Applicant's multi-year plan to transition to HD technology, including

- the status of any upgrades and acquisition of HD hardware, and the cooperation and assistance needed from the cable operator.
22. Describe the Applicant's plans regarding and funding source for a Kauai Digital Media Center (Application page 19). Is this the same facility that Applicant refers to as its "permanent centrally located facility" under Long-Term Plans?
 23. State the amount of cash, marketable securities or other liquid reserves held by Applicant as of December 31 for each of the years 2006 to 2011 (and provide an update for 12/31/2012).
 24. On page 21 of the Application, Applicant states that it maintains two separate funding accounts.
 - a. State the balance in Applicant's operating funding accounts as of December 31 for each of the years 2006 to 2011 (and provide an update for 12/31/2012).
 - b. State the balance in Applicant's capital funding accounts as of December 31 for each of the years 2006 to 2011 (and provide an update for 12/31/2012).
 25. Does the Applicant receive funding from sources other than cable operator, Oceanic Time Warner Cable LLC (OTWC)?
 - a. If yes, please state the name of the source and the amount of funding for each of the years 2006 to 2011.
 - b. State the source and amount of funding that Applicant expects to receive from sources other than cable operator OTWC.
 26. State whether the Applicant has an investment account.
 - a. Describe in detail the amount of interest and investment income earned and how Applicant used these funds for each of the years 2006 to 2011 and the reasons behind the use.
 27. How does Applicant use the Internet in its operation? Is programming uploaded/downloaded via the Internet and transported to Applicant's facility for cablecasting on the PEG Access Channels?
 28. Does the Applicant stream programming on the Internet?
 - a. If yes, state the amount of money that the Applicant spent on equipment to stream its programming on the Internet for each of the years from 2006 to 2011. Please break down these expenditures for each year between operating expenses and capital items.

- b. State the amount of money that the Applicant plans to spend for equipment to stream its programming on the Internet for each of the years from 2012 to 2017.
 - c. State the amount of money that the Applicant plans to spend in operating expenses to stream its programming on the Internet for each of the years from 2012 to 2017.
29. State whether the Applicant owns any real estate. If yes, state the address/location and date of purchase.
30. Does the Applicant lease or sublease a portion of its facilities to another party? If yes, state the name of the tenant and amount of rent paid.
31. Does the Applicant plan to lease or sublease out a portion of its facilities to another party? If yes, describe these plans.
32. Describe Applicant's plans to relocate its satellite facility including whether Applicant plans to build or lease its own facility.
33. On page 30 of the Application, Applicant states that it will increase outreach and efforts to include more diversity of content. What are Applicant's detailed plans or timetable to reach these goals?
34. State Applicant's present procedure for handling complaints.
35. Is Applicant's staff cross-trained to ensure Applicant's operational needs are met?
36. Does Applicant currently charge for any of its services?
- a. If yes, does Applicant plan to continue charging for these services?
 - b. Does Applicant plan on increasing these charges in the future?
 - c. Does Applicant have plans to charge for other services in the future?