

NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR



KEALI'I S. LOPEZ
INTERIM DIRECTOR

DONN A. YABUSAKI
CABLE TELEVISION ADMINISTRATOR

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

November 15, 2012

VIA EMAIL & U.S. MAIL

Ms. Donna Dunham
General Manager
Na Leo O Hawai'i Community Television
74-5565 Luhia Street, #C1-A
Kailua-Kona, HI 96740

Re: Application of Na Leo O Hawai'i Community Television for Designation of a PEG
Access Organization on the Island of Hawaii

Dear Ms. Dunham:

On October 19, 2012, the Department of Commerce and Consumer Affairs ("**DCCA**") received a written Application from Na Leo O Hawai'i Community Television ("**Na Leo**"), to provide public, educational, and governmental ("**PEG**") access services on the Island of Hawaii ("**Application**"). In its Application, Na Leo 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 Island of Hawaii.

The Department of Commerce and Consumer Affairs ("**Department**") requires certain additional information from Na Leo 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 Laureen Wong at 586-7579.

Sincerely,

A handwritten signature in cursive script that reads "Donn Yabusaki".

DONN YABUSAKI
Cable Television Administrator

Enclosure

**APPLICATION TO PROVIDE PEG ACCESS SERVICES
BY NA LEO O HAWAII COMMUNITY TELEVISION
COUNTY OF HAWAII**

**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. Na Leo O Hawai'i ("**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.

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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 facilities in Hilo and Kona.
 3. Please provide the operating hours for Applicant's facilities in Hilo and in Kona and how often are training classes held in each facility.
 4. Page 14 of the Application contains an organizational chart.
 - a. State which staff positions are based in 1) the Hilo facility, and 2) the Kona facility.
 - b. If the vacant Production Coordinator's position has been filled, state the name of the person hired to fill this vacant position.
 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 by its own production staff 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) 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 3 of the Application, Applicant states that it has a record of outreach and development of partnerships with community, education and government organizations.
 - 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.
 - c. Describe Applicant's plans in detail to expand partnerships with community organizations and non-profit agencies over 1) the next 5 year period, and the 2) term of the contract.
14. On page 17 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. Describe in detail Applicant's plans to expand training services to the public for 1) the next 5 year period, and the 2) term of the contract.
15. On page 17 of the Application, Applicant describes its relationships and services to Kealakehe High School, UH Hilo, West Hawaii and Hilo Community College, Makua Lani Christian High School and Hawaii Academy of Arts & Science.
- a. Does the Applicant provide video production services to 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 Big Island for 1) the next 5 year period, and 2) the term of the contract.
 - d. What are Applicant's specific plans to staff these activities?
16. On page 18 of the Application, Applicant states that it provides video production services to County of Hawaii 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 Hawaii 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 government channel).
 - 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? If so, identify the equipment dedicated to these services.
17. What are Applicant's plans to continue to provide grants to the County of Hawaii for the recording, producing, and closed-captioning of County Council meetings?
18. Provide a copy of Applicant's most recent 5-year 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?
19. Provide a copy of Applicant's operational plan for 2012-2013 for public review.
20. On page 20 of the Application, Applicant states that it plans to increase in-house production capacity and purchase equipment for live location broadcasting.
- a. Provide a detailed timeline for Applicant's plans to increase its in-house production capacity.
 - b. Provide a detailed timeline for Applicant's plans to implement live location broadcasting along with technical plans showing how the live signals will be transported and aired.

- c. What specific plans does the Applicant have to staff these activities?
 - d. Describe how these activities apply to Applicant's Strategic Plan and/or how they address the communities' needs.
21. On page 22 of the application, Applicant states that it will conduct a viewer survey measuring community interests and need for public access services.
 - a. What steps has Applicant taken to conduct a viewer survey measuring community interests and needs?
 - b. When and who will be conducting the viewer survey of community interests and needs?
 - c. Will Applicant be hiring outside consultants to perform a community needs assessment?
22. State Applicant's plans to provide service support for Hawaii Island Civil Defense needs.
23. On page 31 of the Application, Applicant references its current Outreach Campaign that seeks "voices" of the public, educational and governmental sectors that have yet to be heard on Big Island Community Television.
 - a. Describe in detail the Outreach Campaign and Applicant's outreach actions for each year during the past 5 years.
 - b. Describe the goals of the current Outreach Campaign and how they relate to Na Leo's current Strategic Plan.
 - c. Have there been any barriers preventing Applicant from expanding the marketplace of ideas during the past 5 years? If yes, then describe each barrier.
24. State the amount of cash, certificates of deposits, 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).
25. 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).
26. 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).
27. 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.
28. State whether the Applicant has any investment accounts and/or certificates of deposits.
- 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.
29. 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?
30. 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.
31. State the address of the real estate owned by Applicant in Hilo.
32. Does 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.
33. Does the Applicant plan to lease or sublease out a portion of its facilities to another party? If yes, describe these plans.
34. Describe Applicant's plans to relocate its Kona facility including whether Applicant plans to build or lease its own facility.
35. State Applicant's preferred contract term.
36. On page 31 of the Application, Applicant describes its commitment to expand the marketplace of ideas.

- a. Describe Applicant's current Outreach Campaign and detailed plans or timetable to reach Applicant's goals.
 - b. Provide more detailed information on Applicant's satellite media center in North Kohala at Kohala High School (i.e., hours, location, services provided, available facilities and equipment, hours of video produced at this location).
37. State Applicant's present procedure for handling complaints.
38. Is Applicant's staff cross-trained to ensure Applicant's operational needs are met?
39. 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?