

CABLEVIEWS

ISSUE THREE | 2010

The Newsletter of the Ohio Cable Telecommunications Association

Speaking of Elections



Jonathon McGee
Executive Director

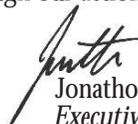
Election season is in full swing in Ohio. Candidates are criss-crossing the state, speaking to groups large and small, rallying the faithful and reaching out to Independents and fence-sitters alike. Debates are being discussed, records are being disputed. And campaign ad writers are cranking up the rhetoric in advance of the many state-wide showdowns on November 2. As is now regularly the case, the proceedings in Ohio are garnering national attention. Pollsters are keeping close tabs on the races for

Governor, U.S. Senator, Attorney General and others. The national media is traveling the campaign trail in Ohio, gauging the mood of voters here and guessing what it means nationwide to the major parties. Radio, TV and online pundits are also keeping a close eye on key Ohio races.

OCTA staff is traveling the state too. We're meeting with candidates for the Ohio General Assembly – some in Columbus, many in their own districts. Our mission is to provide background on the cable industry in Ohio – its impact on Ohio's economy and workforce (see box), its contributions to local communities, and our position on issues that are important to the current and future businesses of the cable telecommunications industry.

In this election season, we encourage OCTA members to also be active participants in the process. Get to know the candidates in your area. Learn about their positions on issues that are important to your success as cable operators, as well as important to you as an individual (see page 5 for a listing of Internet voter resources). Meet with them if you can and, when you talk with them, impress upon them the importance of maintaining communications not just with potential voters, but also with constituents should they win the honor of representing you in Columbus or in the nation's capital.

It's been said that politics is not a spectator sport. And, while some may call this the "silly season" or bemoan the vitriol that too often replaces reasonable discussion of the issues confronting Ohio and the country, the fact is that elections count. Once the ballots are tallied, the dust has settled, and the swearing-in ceremonies are celebrated, these elected officials will turn to the sober work of governing. If we want to have a voice in that government, now is the time to speak, through our actions and with our votes. ■


Jonathon McGee
Executive Director

Ohio Cable Industry at a Glance

- Cable operators directly employ **more than 8,000** people across Ohio.
- Ohio cable operators pay **over \$300 million** in wages to Ohioans.
- Cable operators pay **more than \$72 million** annually in franchise fees to localities in Ohio.
- Cable operators pay **over \$103 million** annually in property and other taxes.
- Cable operators pay **more than \$33 million** in state sales tax.
- The cable industry has invested **over \$1.5 billion** in imbedded infrastructure over the past ten years.
- Ohio cable operators have provided **over 4,500 schools** with free wiring and cable service and offer free or discounted Internet service to most of those schools.

In this issue of *CableViews* -

- ◆ Face to Face with NCTA's Rick Chessen
Page 2
- ◆ C-SPAN Digital Bus Visits Ohio
Page 4
- ◆ Statewide Voters' Guide and Resources
Page 5
- ◆ 2010 Fall Calendar
Page 6

FACE 2 FACE

with Rick Chessen

Associate Bureau Chief for the Mass Media Bureau; Chair of the Digital Television Task Force; and Associate Bureau Chief for the Media Bureau. Chessen also has worked in private enterprise and practiced law at several law firms. He served as Vice President – Policy at RespondTV; Partner in Sheppard Mullin Hampton & Richter, LLP; Associate at Sonnenschein, Nath & Rosenthal; and Associate at Isham, Lincoln & Beale. Chessen holds a J.D. from Harvard Law School and is a graduate of the University of Wisconsin.

Rick Chessen joined the National Cable and Telecommunications Association (NCTA) in 2009 as Senior Vice President, Law & Regulatory Policy. In that role, he manages the NCTA Legal Department and the Association's relationship with the Federal Communications Commission (FCC). Chessen is a veteran regulatory attorney and had served in several roles at the FCC, beginning in 1994 as a senior attorney in the Cable Services Bureau. He became Acting Chief of Staff of the Commission in early 2009 during the acting chairmanship of Commissioner Michael Copps. Following the confirmation of Julius Genachowski as FCC Chairman, Chessen remained on the staff of Commissioner Copps as Senior Legal Advisor. During his time at the Commission, Chessen also served as Senior Legal Advisor to former Commissioner Gloria Tristani;



CableViews: You were with the FCC in various roles between 1994 and 2009, serving during both Democratic and Republican administrations. How much did the FCC change as the party in power changed?

Rick Chessen: In some ways, a change in administrations means big changes at the FCC. A new Chairman will bring in his or her own team to manage the agency and run the

operating Bureaus. But at the same time the FCC has an incredibly experienced and committed professional staff that stays on from administration to administration and provides a sense of stability regardless of which direction the political winds are blowing.

CV: How would you describe today's FCC?

RC: The FCC is an agency in transition that is working hard to keep up with the rapid changes in the tech and telecom industries. Its portfolio largely reflects the key services and technologies that are driving the consumer telecom marketplace – which is why broadband issues are currently front-and-center.

CV: How in sync is the FCC's regulatory mindset with today's telecommunications market conditions, for better or worse?

RC: The FCC is well aware of how dynamic the telecommunications marketplace is, and it's our job to keep driving home the message that consumers are benefitting from the fierce competition, ongoing investment and remarkable innovation that's happening every day.

CV: What would you say the FCC considers its top priorities for the next two years as they relate to the cable industry?

RC: I'd say the FCC's top three priorities for the next couple of years will be broadband, broadband, and broadband. That doesn't mean that other issues may not percolate up from time to time, but I think the issues of broadband deployment, adoption, and related issues will remain the overriding focus.

CV: And what should the cable industry be most concerned about?

RC: Our industry is in a great place because we provide services – TV, broadband and phone – that millions of consumers love and rely on every day. It's our role at NCTA to work closely with the FCC,

Rick Chessen - Fast Facts

The New Big Ten, Yes or No?

I'm a traditionalist, but they seemed to preserve the traditional rivalries so I'm prepared to give it a chance.

Currently Reading:

The Big Short, by Michael Lewis

Favorite Cable Network:

Food Network.

Technophile or Technophobe?

Technophile – in the sense that I love gadgets, not that I understand them.

Congress and other policymakers to promote a regulatory climate that enables our companies to continue investing, innovating, and providing world class content and services.

CV: Could you give a layman's explanation of "Title II" and what it means to regulation of the Internet? What fallout could there be for cable? And how it could affect pole attachment rates?

RC: Basically, Title II is a Depression-era framework that was designed to regulate a monopoly national telephone network like Ma Bell. Obviously, that world is 180 degrees from the marketplace of today. The recent uproar is the result of a proposal to classify Broadband Internet Access Service under these old Title II common carrier rules. The proposal has garnered considerable opposition from broadband providers, equipment manufacturers, consumer groups, and many others who have warned that such a radical change would slam the brakes on broadband investment and deployment. Given the implications, it is hardly surprising that a majority of the members of Congress have gone on the record opposing reclassification. One specific danger of a potential Title II regime is the impact on pole attachment rates. Cable operators could be forced to pay the higher "telecommunications" rate rather than the current rate, imposing hundreds of millions of dollars in additional costs every year. If the FCC wants to promote broadband deployment, particularly in rural areas, raising pole attachment rates is exactly the wrong way to go.

(continued on page five)

REGULATORY UPDATE

Changes to Commercial Motor Vehicle Rules

The PUCO amended its rules to eliminate a long-standing exemption from the safety regulation of commercial motor vehicles operating in intrastate commerce on a not-for-hire basis. By eliminating this exemption, vehicles weighing between 10,001 pounds and 26,000 pounds are now subject to the PUCO's jurisdiction. (Prior to this change, the rule only applied to vehicles over 26,000 pounds.) The removal of this exemption brought hundreds of cable vehicles, and thousands of others' vehicles, under the PUCO's regulation. Many affected parties, including the cable and utility industries, were not properly notified of this change, nor were the parties given an opportunity to comment on the new rules before their implementation.

The OCTA is concerned with the new rules as the following areas of regulation are added to compliance obligations for "not-for-hire" vehicles (hauling their own property in trucks or on tractor trailers), operating intrastate, with a gross vehicle weight rating of between 10,001 pounds and 26,000 pounds: driver qualifications; safe driving and operation of commercial motor vehicles, required vehicle parts and accessories; hours of service and log books, and vehicle maintenance and repair, among others. These additional regulations could add significant paperwork and costs to system operations.

In an Entry dated June 9, 2010, the PUCO indicated that it would not assess penalties under the new rules until January 1, 2011, to allow time for the PUCO to educate those impacted. After the OCTA and several other interested parties requested that the PUCO afford an opportunity for them to comment on the new rules during this hiatus, the PUCO opened a short period for comment on this change.

The OCTA worked with its members and their fleet management staffs to prepare comments on the new rules, which were filed along with comments from the utility and other industries, on September 21, 2010, arguing that the PUCO does not have the legal authority to impose these unduly burdensome new rules. We expect the PUCO to rule in the near future and we will update you on its decision.

These filings may be viewed at: <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=09-223&x=7&y=11>. ■

Telecom Rules

In June of this year, the Ohio General Assembly enacted, and Governor Ted Strickland signed, S. B. 162 (effective September 13, 2010). This legislation further deregulated incumbent local exchange carriers and made other changes to telecommunication regulation in Ohio. As part of this legislation, the PUCO was authorized to adopt rules to implement its provisions. The PUCO recently released proposed rules implementing S. B. 162 and opened a comment period. The OCTA worked with our board and a committee of our members' regulatory experts to analyze the proposed rules and to develop comments. Our initial comments were filed on August 30th. We are now in the process of analyzing other parties' comments to the rules and preparing reply comments for those rules. Reply comments are due on September 30, 2010. The PUCO is required to have these rules promulgated by mid-January. The OCTA will continue to monitor this rule making docket and work with our members to represent the cable industry's interests in this matter.

These filings may be viewed at: <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=10-1010&x=11&y=6>. ■

PUCO Schedules Conference on Motor Vehicle Rules

The PUCO will conduct a "rules technical conference" to educate those impacted by the above-noted change to motor vehicle rules. The technical conference will be held on Tuesday, October 19 at 9 a.m. at the offices of the PUCO at 180 E. Broad Street, Columbus, in Hearing Room 11B. The conference will also be Webcast live on the PUCO Web site at www.PUCO.ohio.gov. Additional information on the new safety rules is available in the motor carrier section of the PUCO Web site.

While we are hopeful that the PUCO will agree with the argument that it lacks authority to adopt these new rules and rescind them, until the PUCO decides we suggest that OCTA members proceed as if they will be enforced beginning on January 1, 2011, and participate in the "rules technical conference."

2010 Cable-PAC/PAT Participation

January 1 - September 14, 2010

Ohio Cable★PAC

Ohio Cable Political Action Committee

ARMSTRONG CABLE

Amount Raised: \$ 50
Goal: \$2,496

BUCKEYE CABLESYSTEM

Amount Raised: \$ 7,973
Goal: \$10,972

CLEAR PICTURE

Amount Raised: \$550
Goal: \$520

COMCAST

Amount Raised: \$2,900
Goal: \$1,430

COX COMMUNICATIONS

Amount Raised: \$2,601
Goal: \$3,068

GLW BROADBAND

Amount Raised: \$1,400
Goal: \$ 400

INSIGHT

Amount Raised: \$ 110
Goal: \$5,252

MASSILLON CABLE TV

Amount Raised: \$2,599
Goal: \$2,750

SUDDENLINK

Amount Raised: \$ 0
Goal: \$1,400

TOTAL

Amount Raised: \$18,183
Goal: \$28,288

C-SPAN Digital Bus Visits Ohio

C-SPAN brought its "Digital Bus" to Ohio in August as part of a national tour to promote the network's public-affairs resources. In Columbus, the bus visited the Ohio Statehouse. From there it traveled to Kettering for stops at the Kettering Rotary Club and the Archbishop Alter High School and to Cincinnati for a visit to the Cincinnati Museum Center. Time Warner Cable's Mid-Ohio Division and Southwest Division partnered with C-SPAN to sponsor the visits; in Columbus OCTA staff was on hand to welcome legislative staffers and media touring the bus.

Launched in June 2010, C-SPAN's new customized coach demonstrates the cable television industry's public-service partnership with citizens by engaging visitors of all ages through interactive multimedia. Digital Bus visitors can experience C-SPAN's unique public affairs content across high-tech platforms such as HD-TV, the Internet, and radio, encouraging customers to follow "Washington, your way." Hands-on demonstrations showcase the

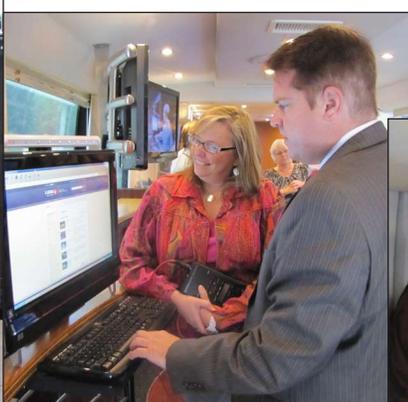
network's social media offerings and special resources available for civics teachers and their students, including the C-SPAN Video Library's content.

Also launched in 2010 by C-SPAN Networks, the C-SPAN Video Library is a free, searchable, online collection of every C-SPAN program that has aired since 1987. The archives include more than 160,000 hours of searchable digital network video that is easily clipped and shared courtesy of a flash player. A comprehensive search engine allows users to search by name, keyword, date, location and more, enhancing the library's value for historical, educational, research and archival applications. In September, C-SPAN's Video Library was awarded the Golden Beacon, the Association of Cable Communicators' highest honor.

For more information on the C-SPAN Video Library, visit www.c-span.org/videoLibrary/ For more information on the C-SPAN Digital bus, visit www.c-span.org/Bus/community.aspx ■



ONN shoots footage of the C-SPAN bus outside the Statehouse.



Above: Jim Heath of ONN and Jo Ingles of Ohio Public Radio check out some of the C-SPAN bus' features.



Below: Rick Carfagna, government relations manager with Time Warner Cable, listens with others as a C-SPAN employee talks about the organization's bus.

Cable-PAC/PAT Individual Contributions

(June 30 – September 15, 2010)

Buckeye CableSystem

Mike Bilik
Florence Buchanan
Chip Carstensen
Laurie Cichy
Tom Dawson
Pat DeVille
John Ducat
Bonita Ehrhardt
Pam Koontz
Brad Mefferd
Daniel Penny
Jessica Pitzen
Sarah Riedeman
Charles Riley
James Wolsiffer

Cox Communications

Tom Andrews
Robert Brill
David Butas
Charles Davis
Gloria DeMarco

Nelson Eubank
Brian Ginley
Tom Gould
Steve Heuser
Dan Jakubowski
Linda Leyden
Todd Malone
Hector Ortega
Deborah Owca
Alex Petrofski
Mark Pigman
Mark Preston
Rajesh Rauniyar
Rich Saunders
Stacie Schafer
Allan Shockey
Angela Simko
Craig Smith
Jeffrey Staats
Steve Wild
Tim Yanda

DSU Group

David Raponi

Fox Cable Networks

Jim Cook

G.L.W. Broadband

Joel Large

Insight Media

Matt Senior

Massillon Cable TV Inc.

Richard Gessner
Bob Gessner
David Hoffer
Larry McAllister

NBC Universal Cable

Kevin Blute

OCTA

Maryann Kafer
Jonathon McGee
Chris Vaughan

Ohio Mesh Technologies

Joseph Corente

Precision Broadband Installation

Chris Steininger

Scripps Networks

Mark Quinn
Helene Rogers

The Inspiration Networks, Inc.

John Brewster

Vorys, Sater, Seymour & Pease LLP

David Froling
David Hoeffel
Benita Kahn
Scott Ziance

West 1 CATV Supplies

Albert Sorrick

CV: With the growth of data-driven ad targeting come concerns over consumer privacy. Do you see the FCC taking steps to protect consumer privacy in ways that could impinge on cable providers?

RC: We share the FCC's goal of protecting consumer privacy and cable is already governed by some strict standards. I can't really predict future FCC action but we're prepared to work with the Commission on any new rules they consider.

CV: Six decades passed between the original Telecommunications Act of 1934 and the overhaul in 1996. How long do you think it will be before the law is again revisited?

RC: I can't really make a prediction about a full overhaul of the Act but I think we'll continue to see plenty of activity to update it – at least parts of it – including Universal Service Fund reform and consumer privacy.

CV: What grade would you give the FCC on last year's completion of the digital TV transition? Were you involved in the process? What lessons do you think were learned from the process?

RC: I was serving as Chief of Staff for interim Chairman Copps during the DTV transition, so I'm hardly unbiased. But I do think the transition was a lot less disruptive than many anticipated and that all of the stakeholders – government, industry and consumers – played an important role in that success. The cable industry in particular provided a key

contribution by stepping up and providing vital Call Center support at a time when it was desperately needed. I think the biggest lesson learned from the DTV transition was that major projects of national importance can best be accomplished when the public and private sectors are working together toward a common goal. It wasn't always smooth or seamless, but in the end everyone pulled together to get the job done.

CV: Do you think that cable operators at the local level pay enough attention to what's happening in D.C.? What advice would you give them?

RC: I do get the sense that local operators are very well-informed on the policy issues that we're working on in DC. That's not surprising, because these issues – from pole attachments to USF to must-carry – can have a pretty significant impact on their bottom lines and ability to invest in the future. If I could offer one piece of advice, it's to not only pay attention to these issues but to get actively engaged. Let us know what's going on and, more importantly, let the FCC and Congress know. It can make a big difference. When I was at the FCC, I always welcomed the opportunity to hear from folks beyond the beltway who could tell me how our regulations were playing in the real world. NCTA has a network of Key Contacts from cable systems all over the country that play an active role in our advocacy. Whether it's through Key Contacts, your state association, or some other means, I'd encourage you to continue to make your voices heard. ■

2010 Ohio Statewide Races

Governor/Lieutenant Governor

- (D) Ted Strickland (incumbent)/Yvette McGee Brown
- (R) John Kasich/ Mary Taylor
- (G) Dennis Spisak/ Anita Rios
- (L) Ken Matesz/ Margaret Ann Leech
- David L. Sargent, II/ Andrew C. Pfeifer (write-in)

Attorney General

- (D) Richard Cordray (incumbent)
- (R) Mike DeWine
- (L) Marc Allan Feldman
- (C) Robert Owens

Auditor of State

- (D) David Pepper
- (R) Dave Yost
- (L) L. Michael Howard

Secretary of State

- (D) Maryellen O'Shaughnessy
- (R) Jon Husted
- (L) Charles R. Earl

Treasurer of State

- (D) Kevin L. Boyce (incumbent)
- (R) Josh Mandel
- (L) Matthew P. Cantrell

United States Senator

- (D) Lee Fisher
- (R) Rob Portman
- (C) Eric W. Deaton
- (S) Daniel LaBotz
- Michael L. Pryce
- Arthur T. Sullivan (write-in)

Chief Justice of the Supreme Court

- (D) Eric Brown (incumbent)
- (R) Maureen O'Connor

Justice of the Supreme Court

- (D) Mary Jane Trapp
- (R) Judith Ann Lanzinger (incumbent)



Online Resources for Voters

The League of Women Voters of Ohio
www.lwvohio.org

Ohio Secretary of State
www.sos.state.oh.us

Ohio Business Votes
www.ohiobusinessvotes.org

CTAM Summit 2010

www.ctamconferences.com

When: October 18 - 20, 2010

Where: New Orleans, LA

SCTE Cable-Tec Expo 2010

www.scte.org

When: October 19 - 22, 2010

Where: Ernest N. Morial Convention Center
New Orleans, LA

2010 Broadcasting & Cable Hall of Fame Ceremony

www.broadcastingcable.com

When: October 27, 2010

Where: Waldorf Astoria -New York, NY

NARUC 122nd Annual Convention

www.narucmeetings.org

When: November 14 - 17, 2010

Where: Omni Hotel - Atlanta, GA

OHIO CABLE INSTITUTE

Presented by OCTA, CTAM Midwest and WICT Ohio

www.octa.org

When: November 10, 2010

Where: Longaberger Alumni House - Columbus, OH

CABLE CALENDAR

2010

OCTA Welcomes New Associate Member

Univision Communications Inc.

605 3rd Avenue
New York, NY 10158
(212) 455-5237
www.univision.net

Representative:

Oscar Ordaz
Director – Affiliate Relations

Products/Services Offered:

Univision Communications Inc. (“UCI” or “Univision”) is the premier Spanish-language media company in the United States with a powerhouse portfolio of media assets that not only inform and entertain Hispanics, but provide a vital link to their community.

For all the latest news and event updates, OCTA members can sign up to receive our weekly broadcast email bulletin. Contact mkafer@octa.org to subscribe.