

UJ
10
T267
1987

COMMITTEE MEETING

before

ASSEMBLY TRANSPORTATION, COMMUNICATIONS,
AND HIGH TECHNOLOGY COMMITTEE

Cable Television Network Program Coverage

March 11, 1987
Room 334
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

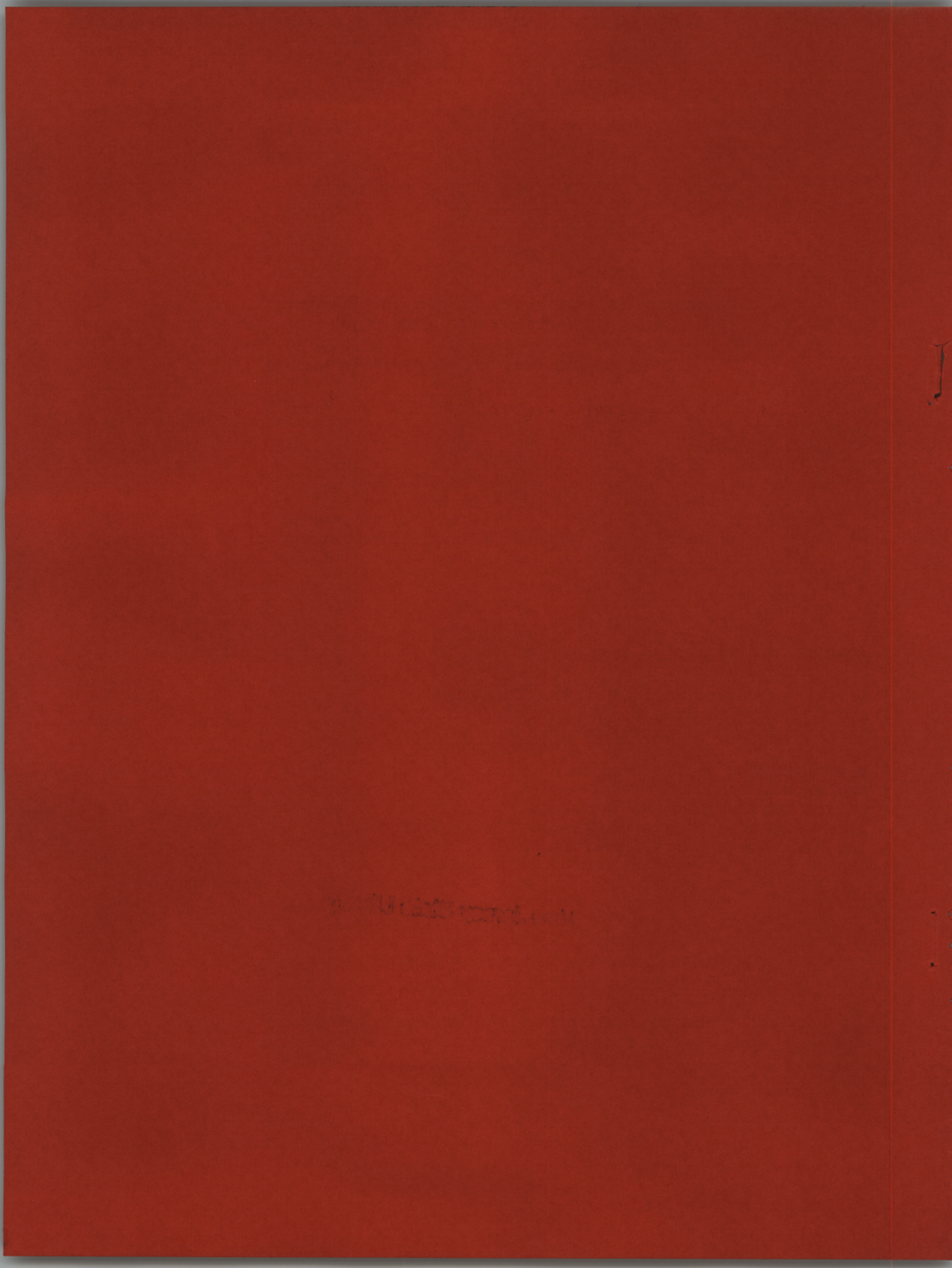
Assemblyman Newton E. Miller, Chairman
Assemblywoman Joann H. Smith, Vice-Chairwoman
Assemblyman D. Bennett Mazur

ALSO PRESENT:

Laurence A. Gurman
Office of Legislative Services
Aide, Assembly Transportation, Communications,
and High Technology Committee

New Jersey State Library

Hearing Recorded and Transcribed by
Office Legislative Services
Public Information Office
Hearing Unit
State house Annex
CN 068
Trenton, New Jersey 08625





NEWTON E. MILLER
Chairman
JOANN H. SMITH
Vice-Chairwoman
RONALD A. DARIO
GUY F. MUZIANI
JOHN S. PENN
WAYNE R. BRYANT
D. BENNETT MAZUR

New Jersey State Legislature
ASSEMBLY TRANSPORTATION, COMMUNICATIONS
AND HIGH TECHNOLOGY COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON NEW JERSEY 08625
TELEPHONE: (609) 984-7381

M E M O R A N D U M

March 4, 1987

TO: MEMBERS OF THE ASSEMBLY TRANSPORTATION, COMMUNICATIONS
AND HIGH TECHNOLOGY COMMITTEE

FROM: ASSEMBLYMAN NEWTON E. MILLER, CHAIRMAN

SUBJECT: COMMITTEE MEETING - WEDNESDAY, MARCH 11, 1987

The Assembly Transportation, Communications and High Technology Committee will meet on Wednesday, March 11, 1987 at 10:00 a.m. in Room 334, State House Annex, Trenton.

The purpose of this meeting is to hear testimony regarding the nature and significance of Cable Television Network of New Jersey's (CTN's) plan to drastically reduce its existing public service coverage devoted to providing cable television viewers with educational, governmental and community news programming.

If you wish to testify at this meeting, please contact Laurence A. Gurman, Committee Aide, at (609) 984-7381.

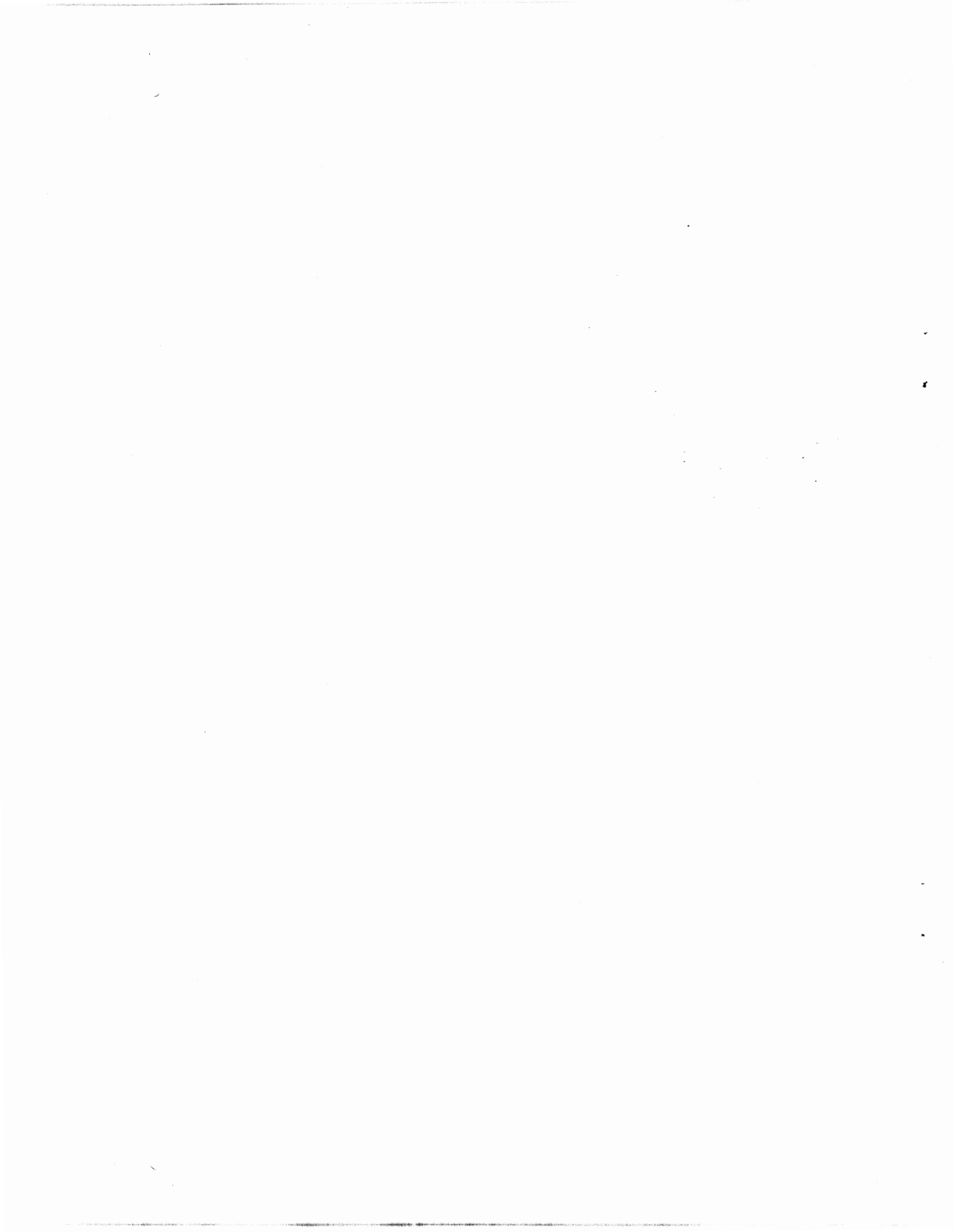


TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| T. Edward Hollander Chancellor of Higher Education New Jersey Department of Higher Education | 1 |
| Bernard Morris Director Office of Cable Television | 11 |
| Edward J. Yaw, Ed.D. President County College of Morris | 16 |
| Yole G. Sills Director Interdisciplinary Studies Ramapo College | 21 |
| John Wagstaff Director Media Center Ramapo College | 22 |
| Vivian-Sue Penn, Ed.D. Associate Director Public Relations New Jersey Education Association | 28 |
| James Schroeder Associate Director Governmental Relations New Jersey Education Association | 32 |
| Helen Naimark Executive Director Cable Users Association of New Jersey | 35 |
| Father Joseph Glass Diocese of Trenton Executive Director Monitor Communications | 37 |
| Marianne Santarsiero Diocese of Trenton Communications Coordinator Monitor Communications | 39 |



TABLE OF CONTENTS (Con't)

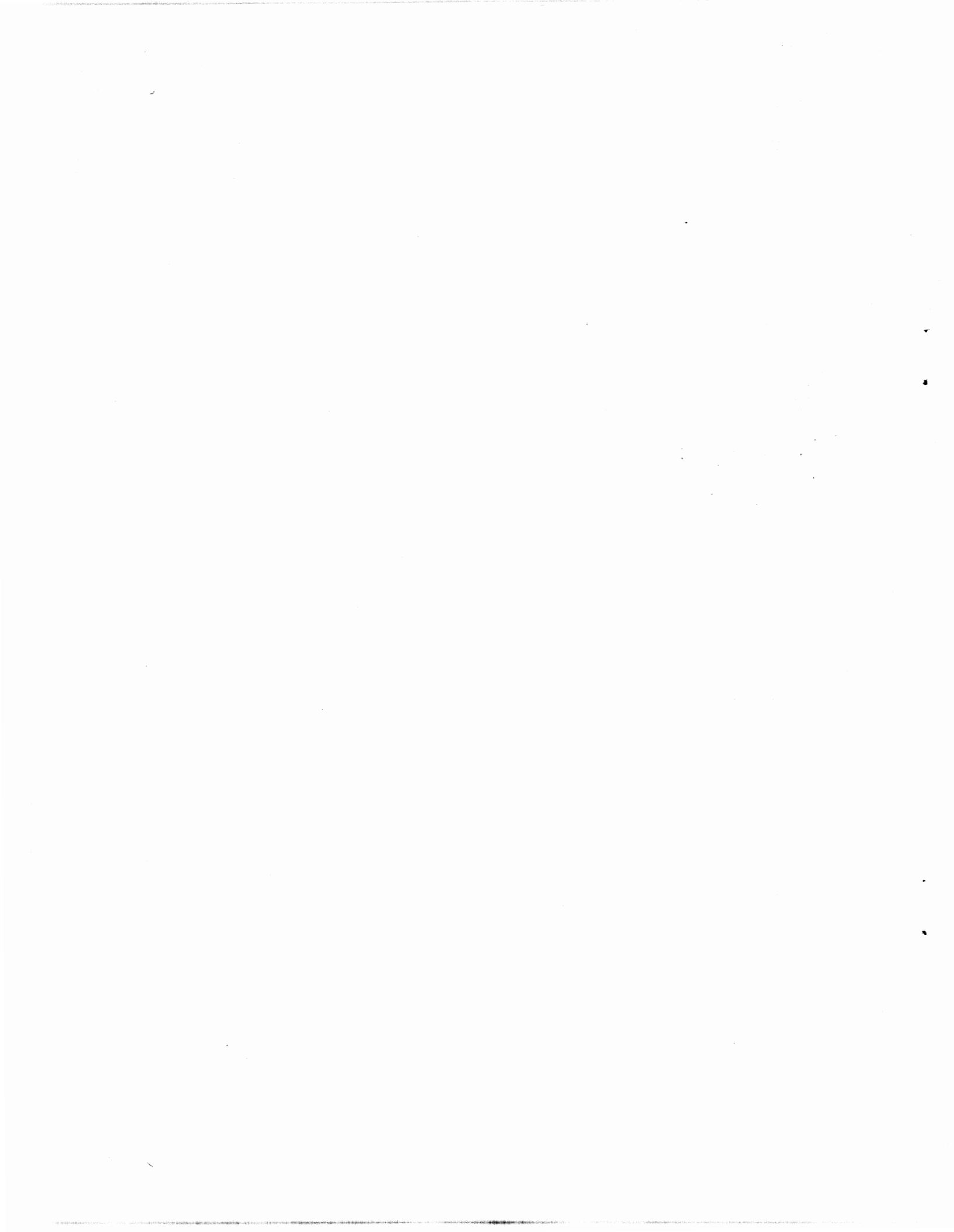
| | <u>Page</u> |
|---|-------------|
| Reverend Russell C. Block Representative Radio and Television Commission New Jersey Council of Churches | 41 |
| Richard Jacobs Chairman CTN Religious Subcommittee Community Consultant Council of Jewish Federations | 44 |
| Carol Thompson Chairman Health and Human Services Subcommittee Cable Television Network | 45 |
| Albert N. Stender, Esq. Secretary Cable Television Network | 49 |
| Bertha Tambor Producer Bertha Tambor Productions, Inc. | 62 |
| Nance Carlson President Montage Marketing and Production, Inc. | 62 |
| Diana Peck, Ed.D Assistant Professor and Director Telecommunication Program Department of Communcation William Paterson College | 68 |
| Thomas J. Lancaster Coordinator Television Services William Paterson College | 70 |
| Peter Wiesner Coordinator of Academic Television Office of Radio and Television Rutgers, the State University of New Jersey | 75 |

* * * * *



APPENDIX

| | <u>Page</u> |
|--|-------------|
| Statement and Graph Submitted by T. Edward Hollander Chancellor of Higher Education New Jersey Department of Higher Education | 1x |
| Brochure Submitted by Vivian-Sue Penn, Ed.D. Associate Director Public Relations New Jersey Education Association | 9x |
| Statement Submitted by Reverend Russell C. Block Representative Radio and Television Commission New Jersey Council of Churches | 10x |
| Statement Submitted by Richard Jacobs Chairman CTN Religious Subcommittee Community Consultant Council of Jewish Federations | 13x |
| Statement Submitted by Nance Carlson Producer Montage Marketing and Production, Inc. | 14x |
| Statement Submitted by Peter Wiesner Coordinator of Academic Television Office of Television and Radio Rutgers, the State University of New Jersey | 16x |



ASSEMBLYMAN NEWTON E. MILLER (Chairman): What I'd like to do to get started this morning is to hear from the Chancellor of Higher Education, the Honorable Edward Hollander. He has a meeting to attend and they say that they are holding votes up -- waiting for him to attend. So, Ed if you care to start, we'd appreciate it.

CHANCELLOR T. EDWARD HOLLANDER: I'd like to introduce Penny Stone who is in the Department of Higher Education and has been working on this program. That so many people are here, really reflects the deep concern that all of have about the problem that you were good enough to call this hearing about. I'd like to thank you for convening the hearing because this is a subject that affects thousands of people.

I especially want to thank you on behalf of the students and the thousands of other residents of the State who've come to depend upon Cable Television Network for educational programming connected with their formal collegiate and informal studies. Every person with a television set on a cable system now has the opportunity to take college course work. Such has been the reach and impact of cable technology.

New Jersey's colleges have used this technology to extend this educational mission and to help students and non students broaden their horizons through televised courses -- the handicapped student who can't get to class, the elderly who are home bound, adults with family responsibilities who work all day and enroll in college after work, and others -- who the witnesses today will tell you about in human and statistical ways, all have benefited from the present system.

But this is only a part of the audience. Cable Television Network has offered a wide variety of community service programming in the areas of health, government, civic, and cultural affairs. In short, the Cable Television Network has evolved as New Jersey's community television station and

many have invested millions of dollars in terms of effort, time, and planning to make it so. And we did so on the faith that a commitment would be kept.

The commitment was based on a concept first proposed by the State's Office of Cable Television, that of establishing a statewide interconnect, the Cable Television Network of New Jersey, (CTN), which began its operation in January of 1983 to fill a broadcasting void in New Jersey. The network's own self-described goal is, quote:

"To provide the State of New Jersey with a much needed system by which the specialized educational, political, religious, health and human services, cultural, and entertainment needs can be fulfilled via a common channel through the State for the benefit of its citizens."

The network was founded with the promise of devoting 75% of its schedule to community service programs. The remainder of the available time was to be used for revenue producing programs to subsidize the operation of the network. But since 1983, community service programmers have faced steady reductions in time, with significant losses of hours occurring in the last two years. The drastic changes proposed this year will leave community service with only 13% of the available programming hours. This is in sharp contrast to the 62% for 1985-1986.

CTN brochures boast of the success of the network -- success due in large part to the enthusiasm, dedication, and talents of community service programmers. Agreements between the public sector and the network and its shareholders have in the past, been sealed with a handshake.

Facilities have been upgraded and curricula at our colleges has expanded. Programming has been continually improved. Significant investments of funds and energy have been made. I quote Mr. James DeBold, the Executive Director of CTN in a correspondence to Assistant Chancellor Goldberg, about community service programming:

"The quality of the programming is excellent. The variety and scope of the subject matter is such that the awareness and acceptance by the general public has been overwhelming."

CTN is truly one of a kind. It is a statewide interconnection of cable companies. A showcase, in the language of the industry, for what is possible when private and public interests combine for the benefit of all. But there is no partnership when the individual cable operators fail to recognize the significance of CTN and propose changes that will effectively dissolve the network.

As you will hear from others present today, colleges and universities have come to rely on CTN as a statewide telecommunications system. Such a system makes it possible for a group such as the New Jersey County College Telecommunications Consortium to coordinate their offerings of televised courses for credit statewide.

Many institutions have planned with the idea that access to CTN was assured by promises made by the network and its shareholders. Both State-supported and independent institutions have upgraded their facilities in partial response to CTN's request to improve the technical quality of the programming that originates on the campuses.

It is ironic that the proposed reduction in statewide access takes place as members of the higher education community are becoming avid users of the telecommunications technology. For example, Two state colleges, Ramapo College of New Jersey and William Paterson College of New Jersey, were each awarded multi-million dollar State Challenge Grants that included bold and creative uses of telecommunications as part of their curriculum. In addition, the State's colleges and universities are actively planning and developing a statewide inter-campus telecommunications network as a means to promote excellence.

We in higher education are becoming increasingly dependent upon the opportunities that telecommunications provide. Access to a statewide channel is an important part of our efforts to make higher education in New Jersey the best and most comprehensive there is.

I urge you to see to it that there is a statewide channel with guaranteed access for educational programming for the benefit of all the citizens of New Jersey. Specifically, I would hope that, and the Office of Cable Television will look for ways to remedy the current situation and guarantee future access through regulation and legislation.

As you will hear from Dr. Peck, our neighbors in New York have already taken such steps. Also, we should not ignore the impact we can have at the municipal level. Franchise agreements should receive our scrutiny and attention. Finally, we should all strive to keep this issue on top on the agenda.

I've written to the Governor expressing my concerns with the seemingly arbitrary action taken by CTN's shareholders and the detrimental effect it will have on the at-large and the higher education community in particular. I will continue to support the ad hoc coalition that has been formed to counteract current and future efforts to limit statewide access. I will write shortly to the presidents of all the colleges and universities in the State to urge them to take similar action.

Here today from the higher education community are college presidents, administrators, and faculty from a cross section of the institutions found here in New Jersey. They would appreciate the opportunity to share with you their views on CTN's decision to deny equitable access for community service programming.

Thank you for your time and attention. If you have any questions I'd be delighted to try to respond to them.

ASSEMBLYMAN MILLER: Thank you Chancellor. It was very concise and right to the point. I'm sure this Committee

feels the same as you do about it and as the people in the audience do. Joann, do you have any questions to ask him?

ASSEMBLYWOMAN SMITH: Chancellor, can you just briefly tell us how you got involved with CTN? Explain to us how it works, and your commitment from them from the beginning. How long has it been?

CHANCELLOR HOLLANDER: Well, the commitment goes back to 1983. I think the Office of Cable Television people will speak to that also. But as I understand it, that commitment was made based on a suggestion by the Office of Cable Television. It would seem to me that it was implied that in lieu of other State kinds of efforts, like taxation or regulation, the industry got together with OCT and said, "We're willing to set up a statewide interconnection. We're willing to provide community service programming. We're asking you," and they turned to the Higher Education Department, "to help coordinate it and to arrange for the programming."

We didn't charge anything. We didn't raise taxes. We didn't ask for additional appropriations. We simply got together with all of the participants and arranged for the programming and paid for it out of our own budgets, in return for which we accepted the concept that this would be a continuous arrangement as long as the State refrained from other kinds of regulation and taxation which I think the franchisees wanted to avoid in entering into this kind of agreement. And it was a good public/private partnership.

As a result of it we've expended resources, but more importantly, we've made this network a success. It's got a listenership. Now that listenership seems to be so valuable that I suspect that franchisees want to exploit it commercially. I would argue that that dedication to public service is a commitment that should be continued.

That's a responsibility in return for the right of the franchisees to use all of the facilities that they use in the

State of New Jersey to reach the public for their commercial ventures.

ASSEMBLYMAN MAZUR: The programming that originates in the colleges, the people who watch these particular courses that are actually, in effect, given, they can pay tuition and get college credits for those?

CHANCELLOR HOLLANDER: That's right. Thousands of students receive college credit. In fact, one of the problems we had was that we were originally notified that we have to terminate in the middle of the semester which meant that thousands of students would have to cut off in the middle of their courses. Well fortunately, CTN understood the consequences of that and agreed to continue the arrangement until the end of June. But there are thousands of students who are taking college credit, many of them who can't get to a campus.

ASSEMBLYMAN MAZUR: They are house bound.

CHANCELLOR HOLLANDER: They are house bound and this is a way of reaching those persons in the State and giving them roughly the same opportunity they could have gotten if they were not house bound.

ASSEMBLYMAN MAZUR: It also represents a form of a breach of contract between the college and the student, or a breach of a commitment that they can go on and get their education. Right.

CHANCELLOR HOLLANDER: It's certainly a breach of a commitment.

ASSEMBLYMAN MILLER: What did you say the percentage was? Sixty percent of the air time originally?

CHANCELLOR HOLLANDER: The original understanding was 75% and it's been reduced every year. I have a graph here. I could read it to you but you have copies.

The first year, the 75% was proposed. In '83 when we started, we were able to provide programming for 67%. It

reached a high in '84-'85 of 69%. Then through reductions it went to 62% in '85-'86 and this year it was dramatically cut to 43% and they have proposed to reduce it to 13%.

That is, if we had not been restricted, we've gone to 75% fairly quickly. The fact that we can go to 67% the first year and then to 69%, reflected the extent of the response from the higher ed community to provide programming.

The programming for television is very, very expensive. Yet we established studios at the colleges. We used all of our administrators at the colleges to coordinate the efforts. We've launched a major, major educational program statewide.

ASSEMBLYMAN MILLER: I was very impressed with the February 20th meeting with the people over there to talk about this. There is sincere dedication to this whole affair. Do you have copies of that so we can leave them with the girls?

CHANCELLOR HOLLANDER: Yes, I do.

ASSEMBLYWOMAN SMITH: Mr. Hollander, is there a contract with the network on this or is this just an agreement?

CHANCELLOR HOLLANDER: No, there was no contract. There was just a handshake commitment.

ASSEMBLYWOMAN SMITH: So then the result was that they saved on different taxes and different fees and everything because of the fact that--

CHANCELLOR HOLLANDER: I don't know what the explicit agreements were; I just know when they turned to us and called upon us for programming. I would assume the fact that they made such a commitment represented a response to an Office Cable Television recommendation. The recommendation was to everyone's benefit, remember.

For the CTN, it was public service. It fulfilled a public service commitment, but they were permitted to have 25% of the time for commercial purposes so there was no money out of their pocket. The 75% then was supported by the 25% revenue

so that the public service commitment didn't really cost them very much. There were no demands then by the State -- which I think the State could legitimately have made -- for other kinds of regulations or other kinds of taxation.

ASSEMBLYMAN MILLER: I think also -- if I'm not mistaken -- at the time, the communities gave up their right of access in lieu of that they went with the CTN network.

CHANCELLOR HOLLANDER: That's right.

ASSEMBLYMAN MILLER: I think a lot of these communities should and will become more involved as we go along with that.

CHANCELLOR HOLLANDER: I would hope so.

ASSEMBLYMAN MILLER: When it comes to renewing their contracts with these people, make more demands upon them to see if we can get this back to where it was.

CHANCELLOR HOLLANDER: Yeah, but I hope that would not be in lieu of the maintenance of the network.

ASSEMBLYMAN MILLER: No, no. I agree with you. Does anybody else have any questions at all?

ASSEMBLYMAN MAZUR: Well, many years ago when I studied business law there was something known as an oral contract. I assume that that is still a reasonable legal concept that you can agree with something quid pro quo and it has the force of a written contract? So really it represents a breach of contract. At least that's my opinion of it, anyway.

ASSEMBLYMAN MILLER: That's something we'll probably have to settle down the line then if in fact we can't get together on this with the CTN networks. Does anybody else have any questions of the Chancellor? No?

CHANCELLOR HOLLANDER: Thank you very, very much for letting me come.

ASSEMBLYMAN MILLER: I appreciate your time. Thank you.

CHANCELLOR HOLLANDER: And I apologize for insisting on going first, but I really have to help the Board of Medical Examiners out.

ASSEMBLYMAN MILLER: I know exactly what it's about. If you're not there and you can't vote, you've got problems, right?

ASSEMBLYMAN MAZUR: Well, when it comes to education, you always come first in New Jersey.

ASSEMBLYMAN MILLER: Thank you. If I may before we go further, I would like to introduce Joann Smith who is the Assemblywoman from the--

ASSEMBLYWOMAN SMITH: The 13th district.

ASSEMBLYMAN MILLER: --the 13th district. I know that's down around Hazlet because I've been down there for hearings.

ASSEMBLYWOMAN SMITH: Old Bridge, Matawan, Middletown--

ASSEMBLYMAN MILLER: Assemblyman Mazur is from the--

ASSEMBLYMAN MAZUR: The 37th district.

ASSEMBLYMAN MILLER: --the 37th district, which is over in Bergen County. Ben is also a professor over at Ramapo, so he has some very definite input and concerns over this, also from his particular position.

Larry here is our chief cook and bottle washer from the Office of Legislative Services. He puts all these pieces together. In fact, he's responsible for this room, so blame it on him. All right? How did you make out Larry?

MR. GURMAN: All the rooms are taken.

ASSEMBLYMAN MILLER: All taken. I'll tell you with 40 Senators and 80 Assemblymen you would think that we would have, you know, just by sheer numbers -- we'd have some say as to what rooms we get around this place, but it just goes to show you.

ASSEMBLYMAN MAZUR: I wouldn't call him a bottle washer. I'd call him a bill scrubber. (Laughter)

ASSEMBLYMAN MILLER: What I'm going to try to do here today is to review this -- and the Chancellor started it -- as to where we were and where we should be and where we are and where we're going.

I recognize that a lot of you have a lot of testimony on individual portions of the programming of CTN. We heard that on February 20th which is all great, but because of the number of people that wish to testify, I would appreciate it if we kept away from the redundancy if you will, and bring out the pertinent facts that you wish to bring out. You can talk as long as you want as long as you keep it short. (Laughter) We'd appreciate that.

Okay, Assemblyman Martin has a statement that he would like to have included in the hearing here and I'll read the statement at this point.

It says: "Mr. Miller, Committee Members: My name is Sally Welsh-Biesty and I am a Legislative Aide to Assemblyman Robert Martin, District 26. Mr. Martin would like the record of this meeting to reflect his very deep concern regarding Cable Television Network's decision to alter its original commitment to the public; that of a 75% commitment to community service programming. We had 25% allotment revenue-producing programs. A commitment was made and there is, therefore, a responsibility to be maintained.

"From that point of view, Mr. Martin would like to suggest a review of the legislation that would deal with the cable companies with respect to seeing how the BPU could regulate such companies." Bob wanted that entered into the record and we can give this to you also.

I wonder if we could have Bernard Morris, Director of Office of Cable Television come up next. Bernie, I'd like to get from you just a review. Just give us a review as to how this all came about and on how this thing got started. I'm doing this on purpose because if we ever have to go into court,

I would like to have this documented in such a fashion so that we don't have to go through the whole thing again. We can pick this thing up and run with it.

How did it get started? What happened and what's going to happen to us if this doesn't continue? Any suggestions you might have from the Office of Cable Television as to which direction you think we might be able to go in recognizing lots of change since this started with the FCC taking all regulations off on this thing-- So, if you will, Bernie.

B E R N A R D M O R R I S: I have a brief prepared statement which I think addresses most of the subjects that you mentioned. The Committee asked me to briefly trace the history and role of the Office of Cable Television in the development of what was originally called, "The New Jersey Cable Interconnect." While I was not with the Office at the time, I've reviewed our files and talked with the number of OCTV staffers and others who were involved.

In the late 1970s as the number of New Jersey cable subscribers approached a million homes -- it's about a million and a half, by the way -- the office began work on a concept of linking the State's cable systems. The idea was to create a kind of B channel to New Jersey Network's A channel which, as it appeared, would not be able to provide coverage for numerous public service programming ventures getting under way at the time.

OCTV obtained a \$350,000 Federal grant to implement the project and also the FCC permits to establish the microwave links to hook together the various cable systems. Then in February of 1980, the Attorney General rendered an opinion to my predecessor, John Cleary, which held that the OCTV did not have statutory authority of the project.

Legislation was introduced to correct this deficiency and provide ongoing funding through an increase in the State's

assessment on the cable industry. The industries' New Jersey Cable Television Association opposed the legislation and it was defeated.

Mr. Cleary then persuaded the New Jersey Cable operators to take on the project themselves. A for-profit corporation with the State's cable companies as shareholders was formed. The Cable Television Network, or CTN as it came to be known then, began operations in 1983 as Dr. Hollander indicated, with a general policy of providing 75% of its round-the-clock programming as public service material and 25% as commercially sponsored programs.

I might add parenthetically, I'm not sure who developed that concept. My impression is that it came out of the deliberations of the operators themselves as they were forming CTN. As Dr. Hollander indicated, the operators argued that the commercial programming needed to cover the cost of operation and the investment that the industry had made, to make the whole thing possible.

A committee system was established among a loose consortium of producers: Educational, medical, and other program producers to provide the educational, medical, religious, cultural and other programming which was to make up the 75% public service component in CTN's 24 hour day.

That system still functions although the number of hours available for this programming has been gradually eroded as we all know. One estimate I have seen, holds that under the present proposal of CTN's shareholders, 16% of the programming day would be devoted to public service material.

From the industry's perspective, this problem must be seen in light of simple physical limitations on their system. The proliferation of programming available to cable has made it impossible for the operators to offer everything that is available. Moreover, the operators say their subscriber surveys show a preference other than that produced by the loose

consortium of producers who have been providing CTN's public service material.

Again I might add parenthetically, most of the systems are contemplating rebuilds to increase their channel capacity so that long range, presumably, this problem will not be with us. But it is a problem for us today since the channel capacity of the various systems is strapped.

We at the OCTV have no jurisdiction over the present privately operated entity. As to our future role in this matter, the Office intends next week to propose to the Board of Public Utilities -- the ultimate franchising agency in New Jersey -- that we be given approval to begin an ascertainment proceeding to determine access needs statewide and how they might be met through the franchise renewal provisions of our statutes in the Federal Cable Act. That's my statement. I'll take questions.

ASSEMBLYMAN MILLER: Thank you, Bernie. I suppose it's too late, Bernie-- It wouldn't do much of any good or would it, if we introduced the bill that was defeated through the efforts of the cable--?

MR. MORRIS: Well, I think it's premature this time, Assemblyman. I think there is a negotiating process going on and we ought to see how that works out. It might be in the end a chip the State would need to play, however.

ASSEMBLYMAN MILLER: Well, what I'm thinking about with the new rules is the FCC taking all restrictions off, and giving them the go-head to do what they want to do. Even if we were to introduce a legislation of that nature, would that in fact pass, and would it supersede the Federal regulations taking all the regulations off?

MR. MORRIS: Well obviously, the State has to operate within the framework of the Federal law. I suppose lawyers might differ on different actions that might be proposed, but we can envision actions that appear to us at least to be

clearly within the scope of our statute and the law, provided there's a legislative will to implement them.

ASSEMBLYMAN MILLER: I think the legislative will is here from what I'm hearing. How does the New Jersey Network fit into this or doesn't it fit into it at all?

MR. MORRIS: It really doesn't fit directly into it. I think there is possibly a downside, and that relates to the Federal Act, as well. The operators have this channel coverage problem.

It's conceivable that if action was taken by the State to require that giving up of another channel for the purposes of a statewide access channel, that some operators might elect to drop New Jersey Network. Under the present Federal law they would be permitted to do. There is no longer what was called the "must carry rule" that required the cable operators to carry broadcasters.

It's conceivable that we might get into a kind of situation where a kind of retaliation could be taken. It's too hard to know which operators, or whether the operators as a group might do that, but that is a conceivable problem with any State action.

ASSEMBLYMAN MILLER: Correct me on my thinking on this. As I recall as a mayor of a town when cable TV first came in, we were promised, "We're going to give you time as far as your council meetings are concerned, your board of education meeting are concerned--" I guess every town had the same carrot held in front of their noses in order to get these things done; to get these contracts signed. I think the town sort of backed off on it in favor of CTN, at least going along with it figuring it would serve the State purpose better than the individual community.

As these contracts come up again for renewal, I would imagine that the same stipulation is part of the present contract. Is there anything that you see the individual towns

can do to put the pressure on, if you will, the CTN Network by insisting upon having local access over the local cable network?

MR. MORRIS: Well, under the Federal Cable Act, one of the many points that was clarified by the Federal Cable Act was the requirement by franchising authorities for public educational and governmental access. However, there are many questions surrounding as there often is with laws because it does not settle the question of how many channels can be required and for what purposes and whether all of those needs could be met on one channel, presumably. In that case, presumably, only one channel could be required.

What is certain though, is that the requirement could be made in pursuit or after an ascetic proceeding which determines community needs, and then the franchising authorities would have the basis upon which to make the requirement. Each town, presumably, is different.

The Federal Act was really written not for New Jersey, where we have this bifurcated franchising process. In fact, the Board of Public Utilities is the franchising authority, not local governments. They, however, participate in the franchising by giving what is called, "municipal consent" -- selecting the company that they think is going to do the best job in their community. That company, then comes to the Board and seeks a certificate of approval for municipal approval. That's the franchising document.

So I would think that as far as a requirement for statewide access, that the State itself, through the Office and the Board, could make a rule making without any legislation to require the provision of the statewide access facility. As I say, it's different in every town.

You have to keep in mind, although -- I guess you say that the guys in the white hats are all here today -- that lots of folks probably would prefer, given their druthers, to see something other than this programming, and this is the dilemma

that the cable operators face. I think we have to keep that in mind as well.

ASSEMBLYWOMAN SMITH: Just one question. Bernie, you said that the State appropriated money to start all of this many, many years ago?

MR. MORRIS: They obtained a Federal grant from the National Telecommunications and Information Agency.

ASSEMBLYWOMAN SMITH: So in effect, what this was, was money that came into the State to put, like you said, all the--

MR. MORRIS: The money was returned, by the way, after the Attorney General's opinion. The money was returned to the Federal government.

ASSEMBLYWOMAN SMITH: It was all returned to the government? Okay.

ASSEMBLYMAN MILLER: Ben?

ASSEMBLYMAN MAZUR: No. I have no further questions.

ASSEMBLYMAN MILLER: Just one other thing. The Chancellor mentioned something about a statewide channel with guaranteed access to New York State. Are you familiar with that?

MR. MORRIS: I am not. I am familiar with a provision for the operators in the immediate Albany area. They have provisions in their franchises. But I'm not aware of a statewide facility. I thought that New Jersey's was unique. But I believe the Chancellor said that Dr. Stone has looked into this and perhaps could give you more information on that.

ASSEMBLYMAN MILLER: Very good. We appreciate your comments.

MR. MORRIS: Thank you.

ASSEMBLYMAN MILLER: Okay. How about Edward Yaw, the President of the County College of Morris. Is he here? I see that your name is here.

E D W A R D J. Y A W: Good morning. I'd like to, first of all, introduce Bruce Perkins, a member of our staff who is

involved in helping us program our telecourses, and also is actively involved in the consortium of 11 community colleges which produce these programs.

ASSEMBLYMAN MILLER: For everybody's benefit, we're taping the proceedings here today, so these are not going out over the end. These go into the little box over there so they can type this up so everybody will get a copy of what was said. So speak loud enough so you can be heard. Okay?

MR. YAW: Would you like for me to begin?

ASSEMBLYMAN MILLER: Yes.

MR. YAW: First of all, let me thank you very much for taking the time out of your busy schedules to hear us on this very important project. I would like to also publicly thank the Department of Higher Education for helping us coordinate our efforts so that we can present our testimony in a way which will make the most efficient use of your valuable time.

What I would like to do this morning, very quickly, is to give you a sort of an overview of what we're trying to do in the community colleges -- and more particularly, in the County College of Morris -- how this affects the students in our county and throughout the State, and some of the dilemmas that we face under the current situation.

Very quickly, 11 community colleges work together in a consortium which at this point in time produces and delivers about 20 courses to approximately 20,000 individuals per year for all of the reasons that the Chancellor mentioned earlier. At the County College of Morris, we offer from eight to ten courses each year as well -- involving about 400 students per year. I believe we have approximately 250 such students enrolled this semester in ten courses. This has become an important part of our overall educational program. We are reaching out to citizens who may not otherwise have an opportunity to either be involved in any education or to complete their education as rapidly as they might like.

If I could, just for one minute, talk about a particular student. We do have a young woman, for example, who has a family, who is trying to pursue a degree in nursing. We all know that there is a critical shortage of nurses, not only in this country, but in this State and in all of our counties.

She has found that the best way for her to do this is to take a course on our campus in biology during the day, another course on campus in nursing at night, and a telecourse in English during the day while she's waiting for her young children to return home so that she can, in fact, be a full-time student and reach her goal. Had the decision, which was preliminarily made to discontinue CTN telecourse coverage -- this young woman may have lost an opportunity to realize her dream in midstream.

We're subject to a lot of internal factors that are beyond our control in trying to deliver these courses. We have found it necessary to develop a three-pronged approach to airing our telecourses. One prong is CTN. CTN does carry several of the courses that we offer at the County College of Morris.

In addition, we offer some of the same courses on the New Jersey Network. In addition, we have local access. So, those are the three prongs: CTN, New Jersey Network -- that is public television -- and local access channels.

The reasons that we carry this three-pronged approach is for two reasons: One is to meet the flexible scheduling requirements of our students, such as the student I just mentioned. But perhaps more importantly, is the vulnerability of each one of these three prongs.

For example: Had the CTN chosen to again, follow through with its original decision, approximately 30% or a third of our programming time would have been lost. Numbers of students would have been inconvenienced at least, and perhaps disengaged entirely.

As far as CTN and New Jersey Network are concerned, local operators apparently do have, in spite of local franchise agreements, the ability to discontinue coverage. I did hear on the way here this morning that our local operator has, as of last evening, discontinued the use of the coverage of CTN in favor of a home shopper. So, that's the kind of decision that is made, and can be made very quickly and very arbitrarily.

So both CTN and New Jersey Network can be discontinued. We've had other incidents of that as well in terms of local access channels where the same operator discontinued a local access channel in spite of a local ordinance in Randolph Township and the franchise agreement with that town. It took us eight months to get that local access channel back up and running. So, we're very vulnerable. We're trying to provide courses and programs to these students. These are the kinds of things that we have and why we need to follow this approach.

I applaud the Chancellor's notion that perhaps a statewide access would be of use. Of course we're hoping that long-range, we have a statewide interconnect that would enable us to do those kinds of things and we will appreciate whatever support the Legislature can give us in this important enterprise. We are, as well -- I can tell you -- working with our local municipalities, particularly those who are renegotiating their franchise agreements to help them with this process and to try to assure that our citizens receive the educational programming that they deserve and that they need. That concludes my statement.

ASSEMBLYMAN MILLER: Larry (Referring to Committee Aide) just pointed out -- do you have any idea what commitment has been made? How much was spent on the part of the colleges to set studios up that's going to be lost, in other words, if this thing goes down?

MR. YAW: I wouldn't be able to answer that. I know that the great majority of telecourses are produced professionally and purchased either through the consortium or through individual colleges. It would be something of a task to calculate what the total cost would be.

A very little of it, I understand, is really produced locally. We use the quality of these programs, which is really outstanding. We use top name people in the various fields to produce these programs. We pay copyright and purchase agreements in order to secure them.

ASSEMBLYMAN MILLER: It might be an area that we might have to do a little more digging into to find out as a matter of one of the reasons that--

MR. YAW: Sure. If I can be helpful in collecting that data, I'd be happy to do that for you.

ASSEMBLYMAN MILLER: Just one thing else, too. Just to straighten my thinking out -- I have a CTN network. It's a backbone; I have a UA-Columbia in my town; I have a suburban cable in some other town. These individual cable companies -- cable people -- tie into the CTN to bring you a program in that particular locality.

What you just said was that if that individual wants to chop them off to get rid of that CTN, they can do so under no ties -- no holds barred.

MR. YAW: Well, I don't know about the holds barred, but I know that they have done it and do it. I don't know what laws or understandings or contracts may have been broken as a result of it. My concern is that it happens. It apparently happened in our community last night.

ASSEMBLYMAN MILLER: So, conceivably, if you want to take it to its extreme, we could have a CTN with nobody tied into it.

MR. YAW: I suppose, you know, to the ultimate, yes. I suppose that's possible.

ASSEMBLYMAN MILLER: Okay. So it seems what we have to do is to find out what legally we can do to assist that the local -- and again, we're getting back to the local access routine -- local franchise, which is controlled by the State, to insist upon them tying into the backbone the CTN network to keep these programs going. Very good. Thank you, sir.

MR. YAW: Thank you very much.

ASSEMBLYMAN MILLER: And from Ramapo College, we have Yole Sills and John Wagstaff. Are they here? They're coming? Fine. Come on up. Bob Scott didn't make it this morning? Is that what we're saying here? I have been trying to meet this man for some time. We've been talking on the telephone but I never catch up to him.

Y O L E G. S I L L S: Well, we're here as his representatives to describe what we do. I am Yole Sills, Director of Interdisciplinary Studies at Ramapo and this is my colleague, John Wagstaff, who directs the media center. We have a very brief presentation. I will tell about what is currently going on and what we are doing. John will tell you what is going to happen very soon.

For the past five years, we have been broadcasting on CTN a series of hour long programs designed not only for our students, but for the public at large. These programs that we do consist of explorations of major issues of national and international importance. They are done as round table discussions between our faculty and guests from the outside world who are representatives from the outside world, who are representatives of major universities, research institutes, the United States government -- often national figures -- and other members of the business community, the public sector. Many of them are from the State of New Jersey who have a responsible role in public life.

The purpose we have is to examine complex issues from various points of view. We try to do what the colleges were

created to do to bring the perspective of various disciplines to bear upon issues which are in their essence complex, in order to be able to analyze pros and cons for the purpose of clarifying dilemmas of choice, and a range of options. In short, the kind of information which we think makes for a informed and responsible citizenry.

I will simply tell you as an example, and I have some brochures here which speak for themselves on what we have done in these last five years-- We had a series on "The American System: Is It Still Working?," one on nuclear -- whether it's avoidable or inevitable; a series on law and society, which will be of interest to legislators which deals with environmental law; corporate accountability; new problems in a technological age; the new relationship between science, medicine, and law, the malpractice problems that the public is increasingly constantly embroiled in; and we had a very successful series on human rights which was an overview of the ethical and moral issues involved throughout the world. We also had one on religion and social change, which looked at the role of religion in society.

Another on American values, challenges and change in social, economic, and political values; and the current one, which is on multicultural America, which is part of an emphasis we now have because of the challenge grant which we have just received. With that, I will turn over the rest of our presentation to John Wagstaff.

ASSEMBLYMAN MILLER: Thank you. John?

J O H N W A G S T A F F: My purpose here is to express the deep concern over the proposed CTN cutback and to share with you an image of the future from the perspective of our recently awarded challenge grant. A future that presupposes a close and continuing relationship with some form of statewide interconnect such as CTN.

Briefly, I want to cover some of the goals of the challenge grant and talk to you specifically about what moneys are being committed that might result in future CTN programming. The primary goal of the challenge grant is to develop a distinctive identity for Ramapo College -- one that is consistent with its Interdisciplinary 8000 Organizational Structure.

We will be stressing international and crosscultural study with particular emphasis on the three major geographical areas: Mexico, the Caribbean, and Latin America as one area; Western Europe as the second; and Canada as the third. (Inaudible) --target funds for four categories of activities intended to provide a global and multicultural perspective in as many of Ramapo's academic programs as feasible. So these categories that we're targeting funds for, are faculty development where we will be sponsoring activities intended to increase individual faculty expertise in teaching with an international and crosscultural expertise.

We'll develop curriculum under the grant -- around three themes, one for each of the three years of the grant: "America and the World" in the first year, "In the '90s"; the second year, "Science Technology"; and the third year, "Communications in Crosscultural Perspective." A special course offering, lectures, extra curricular programs, and activities of visiting scholars, will be coordinated to coincide with each theme.

The grant itself was awarded in the amount of \$3.2 million. Two-thirds of this money -- a little short of \$2 million -- is being devoted to the third major area -- that being telecommunications. Of that, roughly \$1.9 million -- \$1.2 million -- is going to remodel Ramapo's existing plant to accommodate roughly three-quarters of a million dollars in new technology.

These technologies fall into five major categories. The first is an earth satellite down-link, consisting of satellite dishes through which the college can look in on not only domestic satellite transmission but international programming as well, including Europe, France, Germany, the Soviet Union, Mexico, and Japan. We will be installing our first television production facility. Parenthetically I need to add that the programming that has been produced so far has been produced on location. In fact, even as I speak, a staff of technicians are videotaping another master lecture today on the issue of multicultural experiences in New Jersey for broadcasting later this month on CTN.

These television production facilities will be new to Ramapo. In addition, we'll be putting together a teleconferencing room which will be capable of two-way voice and one-way video interaction. We will be installing a broadband/baseband voice data network to tie into the college internally into what we are planning on interconnecting with a statewide broadband communication network.

And we are planning a local head-end cable origination point as part of our "window of the world," if you will. The programming that we intend to provide for CTN is under very heated and decided discussion now. We anticipate continuing the master lecture. We see special events being broadcast. We did one last semester on terrorism -- its causes and responses. We plan to analyze international and national events from the perspective of not only our own faculty but our visiting foreign faculty and their students.

So in short, we plan to use all this technology, not only to educate our own students but to make this interaction available to the public at large. What we're offering the citizens of New Jersey who subscribe to the Cable Television Network is nothing short of a window on the world. It would be a pity if at the very moment we're opening this window, the shareholders of CTN are allowed to shut it.

ASSEMBLYMAN MILLER: Thank you, John. It sounds great and very ambitious. If they cut this off, you stop the whole thing, right, and give back the \$3.2 million? But we're not going to let them do that though.

MR. WAGSTAFF: We don't want to entertain that possibility. I'm an optimist.

ASSEMBLYMAN MILLER: Assemblywoman Smith?

ASSEMBLYWOMAN SMITH: John, you said that the grant came in for this. The grant came in with the stipulation that you be aired on TV, obviously, and the fact that you had commitments to put your programming on the air. I mean, otherwise you wouldn't have gotten the grant, right?

ASSEMBLYMAN MILLER: What did you have to do in return for that grant?

ASSEMBLYWOMAN SMITH: What did you have to do to get the grant?

MR. WAGSTAFF: The grant presupposed an outreach program on something like CTN.

ASSEMBLYWOMAN SMITH: But because that you were already on the network, you were able to get the grant. Had you not been on a network on cable anywhere, what would you have gotten in a grant?

MS. SILLS: No. This is part of what John pointed out. An integral part of this challenge grant -- almost a third -- is devoted to the development of telecommunications facilities. What we do now, we do with tremendous effort and with very, very few facilities.

What's going to be possible under the grant is expending this money to make an infinitely richer mix of programs available to the public at large, which are quite unusual because they are this window of the world. We don't have that now. What we have now is this and we do this with very limited facilities, so the loss of the CTN would be a blow.

ASSEMBLYWOMAN SMITH: My point is if you were not on CTN, would you have gotten the funding? If there were not an access channel to put this on, would you have gotten all of the funding? That's my question.

MR. WAGSTAFF: Perhaps not, is the answer. What's been happening over the years -- and I must say that I'm new to the campus within the last year-- As a result of producing programs like this for CTN, an expertise among faculty has grown up for not only considering issues like what is aired, but for developing programming.

I think that the grant would have taken a slightly different form had that expertise not been available. I think that although the grant doesn't state this, we were all assuming that with -- in addition to its CTN interconnection, we could have perhaps considered an up-link for expanding to a national community.

But it seems to all of us who have had anything to do with the grant that the people of New Jersey at least ought to be able to benefit from some of the international multicultural events that are planned under the grant.

MS. SILLS: And our increased technical expertise--

MR. WAGSTAFF: It is not a cause and effect relationship but there's a deep assumption throughout the grant that this one avenue of access to the outside world--

ASSEMBLYWOMAN SMITH: An assumption that you would have an avenue to air it on for the benefit of the public. As it stands now, you only have one channel which is CTN, right?

MR. WAGSTAFF: Well, what we're experiencing now-- President Yaw described efforts to find out what channel local franchisers are already seizing for cutting off CTN. We have this one channel. We are on the air weekly for one hour on Sundays at four o'clock.

In our own market of north Bergen County, we know two of the big cable franchisers that serve roughly half of our

target population who are cutting off CTN on their own and have been for some months at the very hour we come on. I did a quick survey when I first arrived at Ramapo. What I found out from talking with the cable directors of programming of those two companies, was that we're being cut off. I called CTN to find out if they knew. The official word that they gave me was they didn't. I then asked them if they had a list of companies that carried them all 24-hours a day, and they didn't have that list. They gave me a list of companies that carried them, presumably for a portion of the day. They would assume 24-hours a day but they didn't know who was cutting them off and who wasn't. That conversation occurred in mid-December of that year.

ASSEMBLYMAN MILLER: Do you have any contractual obligation to the people who gave you this grant?

MR. WAGSTAFF: To continuing programming on CTN?

ASSEMBLYMAN MILLER: Just any kind of contract at all. They gave you this money and you signed a contract that said, you get this money and you will do this, this, and this including airing shows. You have a contract.

MS. SILLS: This is a grant, so we don't have a contract. It's a fulfillment of the obligations of the grant. One aspect of it is that we, because of the opportunities which the grant gives us to expand our interest to internationalize our curriculum, that clearly what we want to do is to be able to offer more of this to the public at large which in effect we stated was one of many aims in the grant.

I wouldn't want to give the impression that the entire grant depends on our having it, because that is not the case. The grant is a very large huge enterprise which involved many, many changes on a great deal of extension on our curricular offerings. Primarily one aspect of it of course, is to be able to give it to the public at large.

ASSEMBLYMAN MILLER: I understand that, but what I'm looking at though is the ultimate. You have a grant based upon certain commitments on your part, but you can't fulfill these commitments. What then happens to the grant? Do you have to return that?

MS. SILLS: No. Absolutely not, because the grant covers an extraordinarily wide variety of curricular offerings. Our point here is that given the opportunity to do these wonderful things, we would like to share them with the public at large as we have in the past. We have considered that the kind of approach which the college has, which is this interdisciplinary focus on major events and issues of our time, is very useful for the public at large. It would be a pity not to be able to share it. No, we don't have to return the grant if we don't have the CTN. It would be a loss.

ASSEMBLYMAN MILLER: I understand. Assemblyman Mazur?

ASSEMBLYMAN MAZUR: Well, I think that if you did not fulfill the understandings of the grant, while you might not have to return the money, it would be a long time coming before you got any more, wouldn't it?

MS. SILLS: Exactly. Very well stated.

ASSEMBLYMAN MILLER: Hurts down the road, too.

MS. SILLS: Of course.

ASSEMBLYMAN MILLER: Thank you. We appreciate that.

MS. SILLS: You're welcome.

ASSEMBLYMAN MILLER: I thought all the hot air was up in the chambers, but I'm beginning to see that it's up here, too. All right, if we may, yes.

V I V I A N - S U E P E N N: We appreciate the swift convening of this Committee for the sake of the students of New Jersey. Thank you for that.

ASSEMBLYMAN MILLER: We do something right for the NJEA once in a while.

MS. PENN: My colleague, Leo Galcher, a field representative for Higher Education and I, Dr. Vivian-Sue Penn, also a representative from NJEA, with responsibility for electronic media, are here representing higher education members of the New Jersey Education Association. Needless to say, our members are concerned and upset about the Cable TV Network, CTN, drop out of educational programming.

NJEA believes the question arises because of a five letter word. The word is, "MONEY." It spells money. The answer lies in whose money we're talking about. If we're talking in terms of the CTN stockholders' money, that's one thing. If we're thinking in terms of the students and the money yet to be earned by them, then that's something else again. And therein lies the dilemma.

The owners of CTN, the cable operators of New Jersey, have had their education. Their concern about programming is, "Will this make money for us, or not?" If it won't -- pure and simple -- the program has to go. Therefore, as the cable operators see it, educational programs have to go. Commitment to the pocketbook appears to override commitment to public service programming on CTN.

Now let's look at the subscribers. Yes, students who go to college, along with their families, are subscribers of cable. These students pay twice for their courses. Once for the cable, and again for the course taught via the cable. So, aren't they entitled to see what they want to watch?

And they want -- rather they need -- certain educational programs in order to get their diplomas and enter the world of work. But, they won't get that chance if some people don't help them -- people like the cable operators, members of this Committee of the Legislature, and we, in the educational community.

When you're a student, it can be tough to have to get some of your education on the wing, as some students do,

especially in our community colleges. The very mission of the community college is to help such distressed students. Students are considered distressed when they're unable to afford more money, or more time, or more commitment than they do now on a daily basis.

This is not to say that every student is in the distressed category, but many of them are. Some students work one or even two jobs and still take courses. That's one very good reason for telecourses. They can be fit in between work schedules. Any professor can tell you true-to-life tales of students struggling to get ahead, so they can fulfill the great American dream.

Students like these deserve your respect along with your support. Often the struggle to make the grade in class is small when compared to the overall effort students make financially and emotionally.

Now, what happens here? Right in the middle of this semester, CTN dropped its commitment to education. On February 13th CTN announced, "Forget it, we can't afford to care about you anymore. We're closing you down in March." Boom! Just like that! Imagine the students' consternation. There went their great American dream; there went their graduation. Sure, CTN has pulled back on their decision temporarily, but only until June 30. Then the boom gets lowered again, and this time they're promising it will be permanent.

That's where we all come in. We simply can't let that happen. College courses are ongoing. Semester follows semester. Courses follow courses. They are not interruptible. The educational process is continuous. So, we have to do something to bail out these students, and also help cable operators to survive.

What's the answer then? NJEA believe it lies in the fine art of compromise. Clearly all parties have to come to an agreement that works for all. We don't believe the answer lies

in shopping. There has been talk of offering wall-to-wall shopping on CTN. If that is the proposal, then we will need a Shoppers' Anonymous to help people cope, lest New Jerseyans become poor. (Laughter) Poor in pocketbook, as well as poor in spirit.

It hardly seems possible that the Federal Communications Commission expected such a response when it permitted deregulation of TV. Surely it thought cable operators would remain responsive to public service programming. The NJEA knows that neither the Federal nor the State government can censor TV programming. We also are aware that the New Jersey Board of Public Utilities, through its Office of Cable Television, may be sympathetic to public service programmers, but cannot insist on certain programming. Maybe the government could encourage it, however.

There are those who urge that adverse publicity be brought down on the heads of the cable operators, and some suggest cancelling subscriptions to the cable companies, but those measure would be short-lived. We're realists at NJEA. We know the public wants its MTV and other shows.

However, we also know that the surveys which the CTN stockholders point to may not be a true indication of total viewership. After all, they are not Nielsen or Arbitron ratings.

The philosophical question also arises as to who owns the airwaves which the cable company captures and retransmits to its subscribers' homes? While cable operators may own the cable wire, there are those who say the public owns the airwaves in a democracy. Therefore, doesn't it become the responsibility of the television media to both inform and entertain? The educational community counts on being informed.

Perhaps the State Department of Higher Education could survey the educational community to determine educational users of the cable. They could also determine the best times for

educational and informational use. If there could be a guarantee of a large number of educational viewers at certain times, then the educators, the students, and the cable operators might be satisfied.

There are other ways that could be found if everyone were willing to solve the problem. Therefore, NJEA is asking for cooler heads to prevail, and for CTN to consider carrying the public service educational programming for 1987-88, until a remedy can be found. During that time, the educational community could seek out answers in concert with the cable operators.

Collectively, we should be able to find a solution because we're be working together on the problem. And then no one will be denied the American dream. Thank you.

ASSEMBLYMAN MILLER: Thank you, Doctor. Would you like to add to that?

JAMES SCHROEDER: No, only if there are questions.

ASSEMBLYMAN MILLER: You mentioned the shopper program. Somebody said something about one of the reason that CTN was going to do away with the network's educational aspects and public service aspects of it, was that the programs wasn't high quality enough.

Now, I ask you to compare a shoppers program with the rest of this. That's a pro argument on their part. I know, every once in a while I catch the shoppers program that's on one of the top channels now. It's bad enough watching a ball game for three hours straight, but to sit there and watch diamond necklaces, you know, if you buy this, you get the earrings and you also get one for you nose and the rest of this stuff all for \$9.98.

MS. PENN: I think it's the quality of money that their talking about; not the quality of programming.

ASSEMBLYMAN MILLER: The quality of the green. It's appropriate for St. Patty's, I suppose, but-- Ben, do you have any questions at all?

ASSEMBLYMAN MAZUR: Well, I just think the presentation was very excellent. I love that Shoppers' Anonymous. But the one question that I do have, and maybe I should ask somebody in the industry itself, but I have never watched this shoppers' thing-- Is it always a local thing? Are they advertising for local department stores?

MS. PENN: No, not at all.

ASSEMBLYMAN MAZUR: It's a mail order kind of thing?

MS. PENN: A fountain for your hors d'oeuvre, for example, to exhibit your hors d'oeuvre and have a fountain around it. That sort of thing.

ASSEMBLYMAN MILLER: Most advertising for retail activities are usually done locally. This is a mail order type. This is one item at a time, and we have 500 left. You get a ding-dong on a bell if you happen to call. It's very high class. I get trapped every once in a while before two o'clock in the morning, or something like that. I know it's a central location. It's one item at a time. I guess they must buy out broken lots and whatnot in order to push in that direction.

ASSEMBLYWOMAN SMITH: I'd like to thank you for your presentation. I think it is an enlightening factor to compare apples and oranges. I've had complaints from people who have bought through the shopping channel who have received inferior merchandise and had problems returning it. I think this is another area to look into and we probably will pursue that on a consumer basis somewhere down the line with maybe some hearings relative to that. It's affecting all of our business communities in the local areas that are struggling to survive, because it's from out-of-state and you can't really reach these people.

I worry about the credit card situation, and someone getting your numbers and your address and things that are happening all over the country via this computerized shopping system. But like I said, that's not what we're talking about today. It's just something that we will probably be looking into with another committee.

MS. PENN: It's also basically unhealthy to sit there for six hours and watch this and never move. We're going to have a lot more heart attacks in the State of New Jersey. That's predictable. At least when you have to go shopping, you have to go to the mall.

MR. SCHROEDER: Perhaps only one comment -- in our brochure we deal with the local TV franchise cable and how we hope that the education communities will get involved with the local school boards and the local community leaders, mayors, etc. when the franchise issue does come up.

I think Dr. Yaw pointed out that the problem could be that we can influence CTN right now, and then find out that the local cable people would just drop off the line. I think somehow that this Committee will focus on that. I have no answer for it.

I know that we're trying to encourage our people in the local community to get involved in the franchise process and make sure that the local governing bodies require educational TV. But in the short term I don't know how we can handle this, and I hope you can find an answer for it, because I'd hate to have CTN say yes and then the local people cut us off. Then we're not going anywhere.

ASSEMBLYMAN MILLER: As Mr. Morris said before, that all the local governments do is to look at it and approve it. But then the State has the control over the whole thing. So they are the ones that will be working. I'm sure that Bernie will be checking into that aspect of it, too. Thanks ever so much. We appreciate it.

We have Cable Users Association, Helen Naimark. Is Helen still here? Oh, yes. Hi Helen.

H E L E N N A I M A R K: Hello, and thank you.

ASSEMBLYMAN MILLER: Just move that microphone around, Helen, so that it goes into the machine.

MS. NAIMARK: Good morning. I'm Helen Naimark from the Cable Users Association of New Jersey which is an organization of individuals and organizations who are interested in local uses of cable systems. We are, therefore, interested in CTN at a localized statewide level use, as opposed to the broadcast and satellite programming which we usually get on our cable system.

CTN is unique as a statewide interconnect of multiple cable systems. Not only does no other state have anything like it; probably no other state has an equivalent need for the interconnect, considering our odd position with regard to VHF television signals.

When this concept was born at the New Jersey Office of Cable Television in the '70s, I happened to be a member of the Tristate Task Force of Telecommunication, under the body that then existed -- the Tristate Regional Planning Commission. I can tell you that there was tremendous admiration in that tristate body for New Jersey's foresight in planning for the State's community communications needs in such a fashion.

It then took a little time for the New Jersey Attorney General to deliver the opinion that the Office of Cable Television's authority did not extend to the operation of such a network under existing legislation. In subsequent efforts to find a way to make it happen somehow, what we ended up in our State, was the cable industry offering to build a network of its own good will and with its own resources. As we've heard today, 75% of the channel time was then promised for dedication to public interest and public service programming.

Perhaps many of us, including my Association, should early on have been more alarmed than we were by the fact that the 25% of channel time given over to commercial programming was, even from the beginning, taken during the prime time evening hours. Given in that time slot, such an identity already meant that many working people -- of whom we see more all the time -- would not be able to watch the community oriented programs.

However, we were cheered that there was to be an interconnect at all. We could not then foresee that the informal agreement for 75% programming in the public's interest would begin almost immediately to see an erosion which we have seen reach alarming proportions last month. To us, it seems clear that the State's original concept was one for which New Jersey has, at this time, no protection.

Certainly, the early statements by cable industry officials as to their dedication of a channel for public purposes have not proved lasting any more than have their handshake agreements with the individual programmers. It is most fitting that it is in this Legislature that we have this hearing today. My Association's belief is that legislative action may be the only means to assure a public service statewide network.

We would like to see legislated, authority for whatever it takes to make that concept real. If that requires more power to the Office of Cable Television, that's fine. If it requires more funding, that seems fine to us, too. Clearly, New Jersey is not at present claiming or using all of the franchise income which is available to it under Federal law.

I must hasten to qualify my last remark by saying that Cable Users Association will defend whenever necessary the claims of local municipal programmers to some part of municipal franchise fees. Having said that, I repeat that State, and also county levels of communications needs, are major parts of the whole telecommunications picture which concerns us.

Finally, in this year when we celebrate our Constitution, many Americans are acutely aware that the First Amendment rights of the citizens will tremendously affect the nation's future by whatever arrangements are made between the private enterprise of media ownership and the government's relationship to those media on behalf of the public's right to freedom of speech.

New Jersey, as the nation's most fully wired State, might well show the way for some other people. I thank you very much for your time.

ASSEMBLYMAN MILLER: Thank you Helen for your input to the proceedings, too. Joann? Ben?

ASSEMBLYMAN MAZUR: No. It's just been a long time since I've seen Helen. When she said "Tristate" then I remembered because I was a commissioner on Tristate for six years.

MS. NAIMARK: That's right. Now I know where I have seen your face, too. Thank you.

ASSEMBLYMAN MILLER: Thank you. I would like to have cable television producer, Chomie Persson. Is she here? (Negative response) All right, we'll have to come back to here in case she's out in the hall someplace. I'd like to get into those who represent the Lord in this one -- the religious aspect of this. How about Father John Glass and Mary Ann Santarsiero, Diocese of Trenton? We thank the both of you for coming down this morning, also. We appreciate that.

F A T H E R J O S E P H G L A S S: It's good to be here. As Henry the Eighth said to his wives, "I won't keep you long." (Laughter) I don't have a formal statement prepared or anything like that to present, but I would like to thank you for your time and for looking into this situation. And I'd like to thank CTN for their assistance in the past. We have been airing currently about five hours a week of programming on CTN and we appreciate that. We do, however, feel that this

dramatic cutback in public access time is too much of a cutback too soon, and too quick.

We have geared our efforts in the Diocese of Trenton; and that's who we represent, by the way -- the poor counties of Mercer, Ocean, Monmouth, and Burlington-- We have geared our efforts for programming on the assumption that CTN would be there.

We have invested quite a bit of money. I don't have the figures. I know you are going to ask me that. I don't have the figures of exactly how much it costs to link up with what is call CTNA, so we can throw more letters into the alphabet soup. That's the Catholic Television Network of America. We have a satellite dish and we down load their programs.

What CTNA brings in is the best of Catholic programming from around the nation. We felt that we didn't want to deliver second level or third level programming to CTN, so we have made a substantial commitment to bring in from around the nation the best of Catholic programming. That's what we put on CTN.

Quite frankly, we don't have the money or the personnel to develop access with all the local cable companies and to truck the tapes around to them. We have assumed that CTN would be there and we've done our best to provide the best of our programming to CTN. To cut that back and to take that away, would leave us with the fact that we've been going in the wrong direction for a number of years in the electronic media.

I just think it's a shame that since 40% of the people in New Jersey are Catholic, I think they deserve a good bit of programming. I don't think the Catholic programming makes any money and I don't know what the viewership figures are for CTN, but I think somewhere in this State there needs to be an alternative to things like home shopping networks and all that. Somewhere the people who are interested and who are

value oriented or are striving for that in their lives or in their families, should have a channel. They should have a place to hear and see programming that reinforces those values.

ASSEMBLYMAN MILLER: Really, really. Marianne?

M A R I A N N E S A N T A R S I E R O: Okay. I just have a short statement. I've been supplying the Cable Television Network of New Jersey with Catholic programs since January of 1984. CTN has given us the opportunity to reach Catholics throughout New Jersey in a way that cannot be duplicated. It would be virtually impossible to reach these same people with the same selection and variety of programs. We currently run five hours of programming on CTN per week.

Although the hours we are given on CTN are not prime time, we still receive letters and phone calls from viewers who look forward to watching our programs. Religious viewers may be considered in the minority, but out of the estimated 7.5 million New Jersey residents, over three million are Catholic.

Our programs may not be able to compete with "Dynasty" in the ratings, but they do fill a void that many network programs cannot. They fill a need that many people have; to enrich their lives spiritually. In today's society with so many pressures and stress, people continue to rely on their faith to pull them through.

We need CTN to maintain its current hours of religious programming for us to continue to reach our viewers effectively. We hope that this hearing will help maintain CTN as a public access channel to serve the needs of the people of New Jersey.

ASSEMBLYMAN MILLER: Very Good. I pointed out also to you that there are 1 million senior citizens in this State over 65, out of an 8 million population. I would assume 40%, statistically, would be Catholic also. I guess the older you get, the closer you get to your God. I would imagine that a lot of them are watching your programs, too. So, it would be a shame to cut them out of that.

FATHER GLASS: They're very often an active group that is writing the letters or voicing that they're seeing or hearing the programming. We know and I know from my parish visitations -- that is part of what I do with The Monitor, the newspaper -- is travel to a lot of the parishes; and there I hear from a lot of people that they are watching or they are hearing. I don't know if they write to CTN. I tell them to. I encourage them to do that, but they're--

ASSEMBLYMAN MILLER: You know how you can do that, Father? What you do at the program, you see, is if you just mention my name and send it in, we'll give you a free TV set or something like that. (Laughter) You'd be surprise how much people watch that.

FATHER GLASS: Or zirconium diamonds or something.

ASSEMBLYWOMAN SMITH: Well, they're giving free cameras now if you send in for a brochure for a bed that changes itself around.

ASSEMBLYMAN MILLER: Give Bibles away or something.

FATHER GLASS: Have a home bingo network. (Laughter)

ASSEMBLYMAN MILLER: Ben, do you have anything further? (Negative response) Joann?

ASSEMBLYWOMAN SMITH: You have expended monies then, obviously, to put together an information channel for your people and for all the people of the State in the hope and the prayer that the commitments would have been kept by the people that gave you the time? The colleges are in the same situation as you are; the commitments are not being kept for other reasons, obviously. That's what the bottom line seems to be. Okay?

FATHER GLASS: We were riding down a road that we thought continued, and we came to a dead end.

ASSEMBLYMAN MILLER: All of a sudden you found a dead end street. Just to clarify for my thinking-- You said that you have five hours of time a week. How do you go about

getting the allocation of the five hours? Does somebody allocate five hours to you in certain slots on the schedule. Who does the allocation?

FATHER GLASS: Initially, we start with CTN -- and Marianne may be better prepared to answer this-- That they have different subcommittees. We're a member of the Trifith Subcommittee who represents the religious programs.

So of all the time for religious groups, the five hours is what has fallen onto us in representing the Catholics.

ASSEMBLYMAN MILLER: Who gave you the five hours? Do you have to go to somebody in CTN who allocates the time spectrum?

MS. SANTARSIERO: We meet with our subcommittee and we have a chairperson, Dick Jacobs, who's going to speak later. He goes to a meeting with all the other chairpeople of the subcommittees and they decide after discussing among themselves and figure out how much each committee is going to get as far as time goes. Then Dick comes back to us and tell us that we have 15 hours and then between the three religions, we decide on what our needs are and how many hours we each get.

ASSEMBLYMAN MILLER: Very good. Thank you

FATHER GLASS: That's the one with the boxing gloves back there. He fights for that time.

ASSEMBLYMAN MILLER: To give some equal time here, how about Reverend Russell Block from the New Jersey Council of Churches? Thank you Father. Thank you also, Reverend, for taking the time to come down here today.

R E V E R E N D R U S S E L L C. B L O C K: Good morning, my pleasure. Can I give these copies to someone?

ASSEMBLYMAN MILLER: Certainly, please do. By the way, anybody who is testifying, please leave a copy with us. If you only have one copy, we'll send out and have some copies made. It will help the women on the machine. If we could just present them with a copy of your testimony, they won't have to

sit and listen and get wax in their ears with all of this. Okay, Reverend.

REVEREND BLOCK: I represent the New Jersey Council of Churches, its Radio and Television Commission, which represents throughout the State, 17 Protestant denominations, including the Presbyterians, the Methodists, the Baptists, the Lutherans, the Episcopalians, and others.

I'm not going to read my three page statement because a good deal of what I've written has already been said, and said well. But I would like to point up a few things. We, with the Roman Catholics, Jews, and other community services programmers, were excited by and appreciative of the opportunity presented to us by CTN in 1982 to work with the staff of CTN in planning for CTN's beginning and in supplying programming to enable CTN to fill its broadcast schedule; and to serve our constituents around the State with religious and public affairs programming.

We express appreciation to the staff of CTN, particularly its Executive Director, Mr. Jim DeBold, for working with us and others in placing our programs on CTN and in developing over the past year an occasional trifaith -- Protestant, Jewish, Roman Catholic -- access time hour-long, live call-in discussion program entitled, "At Issue - Live," which has dealt with issues of concern to New Jersey's religious community.

I might add at this point that about this program "At Issue - Live," as far as I know, this is the only trifaith program of its kind in our State at the moment.

Now, in response to the possibilities presented by CTN, several Protestant groups, including the New Jersey Council of Churches, raised funds and hired staff to produce programs for CTN. The New Jersey Council of Churches and its member denominations have also from the beginning, publicized CTN throughout the State, listed its programming, encouraged

citizens to watch it, and in essence, along with others, did their best to popularize CTN and to build its audience.

The New Jersey Council of Churches regularly sends out information about programming on CTN to more than 3500 churches and religious leaders around the State. Other member denominations do likewise.

The New Jersey Council of Churches, representing the Protestants in the State, have since January 1983, when CTN began broadcasting, presented and produced more than 20 different series of weekly, monthly, or occasional programs -- including programs produced by a variety of our member denominations and churches -- programs produced by ethnic and racial minorities such as blacks, Hispanics, Koreans, and others, as well as programs for children.

Now while the Catholics are currently running 5 - 5 1/2 hours a week on CTN, we Protestants are running 4 1/2 hours a week. While it is difficult to determine exactly the viewership of cable TV programs, it is obvious from the extensive mail, telephone calls, and personal remarks that the audience for our programs is significant and increasing. We are frequently approached by groups with more programs than we have time for.

CTN is the only way to reach our statewide audience. It is impossible financially or otherwise to negotiate with every cable system for public access time and to shuttle tapes around the State. In view of the cutbacks proposed by CTN, it is apparent, in conversations with our Protestant program producers and suppliers, that some of those programs -- if there is no air time for them on CTN -- will cease to exist.

Now I'd like to finally raise a larger issue. New Jersey has had a long history of neglect concerning statewide television programming for its citizens. Our State is already badly divided and we need every possible means to bring all of our citizens closer together in one statewide community.

WOR Channel 9, for example, while now based in Secaucus, hardly fulfills the need for a statewide channel. And if WOR is sold, and this is quite possible in the near future, its new owners may be free to cut back or eliminate whatever New Jersey coverage WOR now carries.

The New Jersey Network, for example, has also according to an article by Reginald Stuart in The New York Times of March 2, 1987 -- an article entitled, "Cable Systems Drop or Shift PBS Stations," stated that: "The New Jersey Network has been dropped by several cable operators inside of the State, according to cable and community relations official of the Network, Tracey Henry." It is also no secret that the future of NJN is questionable.

CTN, therefore, could -- if restored to its original broadcast schedule of daytime, evening, and weekend -- could be New Jersey's best hope for a statewide television presence; recapturing its original vision and helping to bring our citizens into more of a statewide community.

On behalf of the Protestants of New Jersey through the Radio and Television Commission of the New Jersey Council of Churches, I thank you for your attention.

ASSEMBLYMAN MILLER: Thank you, and I think your point is very well taken. It's something that has to be considered by the OCT when they become involved with this. Joann, Ben, do you have any comments? (Negative response) Thank you, sir. By the way, the difference between that half hour and that hour is probably a bingo game the Father was talking about before. So we'll have to do something about that. (Laughter) How about Richard Jacobs, Council of Jewish Federations. Is Dick here?

R I C H A R D J A C O B S: Actually, I have a prepared statement which I will give to you, but my colleagues from the committee of the Protestant and Catholic faiths have been so eloquent that they have managed to cover everything that is

contained in the statement. Let me just add that the Jewish community in the State has three hours on CTN--(Laughter)

ASSEMBLYWOMAN SMITH: No bingo at all.

MR. JACOBS: --which we value very greatly. It is our only way to reach a statewide audience as was indicated; and I would further tell you that over the past couple of years I have been asked to speak at various national meetings on the subject of religious programming in the State of New Jersey. I will tell you that colleagues around the country are most impressed with what is done here and would hope to emulate it themselves. For us to take a step backward at this point and not to be able to continue this programming would, in fact, be a blow to all of us. I would take any questions that you have.

ASSEMBLYMAN MILLER: Thank you. We appreciate your comments.

ASSEMBLYWOMAN SMITH: Thank you, sir.

ASSEMBLYMAN MILLER: All right, how about Carol Thompson, Chairman of the Health and Human Services Subcommittee of CTN.

C A R O L T H O M P S O N: I would like to thank you for the opportunity to express my concerns as a New Jersey citizen, as a past program supplier to CTN, and now the honorable position that I hold as Acting Chairperson for the Health and Human Services Subcommittee. To quote Assemblywoman Smith, I, too, do not feel like today we are rearranging deck chairs on the Titanic. It is not a futile effort that we are here. The very fact that we are here and are able to say our peace just reflects that we are all in accord to what New Jersey wants and needs.

In the past four years, New Jersey people in their home have been given an appetite that has been sustained because of the likes of CTN, their shareholders' dreams, and the mighty efforts of the staff at CTN -- with whom I have enjoyed working with in many different capacities. I would hate to see that dream be lost also.

In the past four years I have been dealing with CTN on various levels. I have provided programs to them when they needed us badly to sustain 24-hours worth of programming. They reached out to all of us -- in the government, the culture, the education, the religious, and the health and human services fields to supply them with these programs; and we came to them and we did.

We've increased our programs. We've increased their quality at the beckoning of CTN so that they could remain a viable viewable station and so they could compete technologically with what major broadcast stations were doing. But they far surpassed what major broadcast stations are not doing -- giving quality, informative, educational, substantial things to see in our homes.

Those two years spending much effort in programs for the company whom I represent and for the University of Medicine and Dentistry, I've enjoyed booking these programs, receiving letters from viewers who have enjoyed hearing what they had to hear at whatever prime time was theirs. Then the last two years I had the honor of serving the New Jersey public as Chairperson -- to be this impartial liaison, so to speak -- with CTN and all New Jersey viewers and their programmers.

CTN has asked their subcommittee chairpersons to persuade -- as much as we could -- to get our viewers better programming. So, we have reached that. We have, on our own time and from our own energies and without any reimbursement, served the New Jersey public by finding these programmers out there.

The resources of New Jersey have been obvious topographically, businesswise, and now we know that the people are our own natural resource and that they have come out. We have tapped that mother lode. We have found quality programmers who, either out of their own pocketbooks have supplied these programs, who have generated funding from

different pharmaceuticals, or from other major companies in the line of the programming that they were showing. They've been getting a mighty effort together to give CTN the programming that they have wanted -- quality, variety, entertainment, and informative.

In the last two years, the amount of programs supplied via the Health and Human Services programs have increased. In 1983, there were 11 programs. In 1984-85 there were 15 programs; and the same way in '85-86. This year we have 28 programs in the Health and Human Services Committee covering a wide variety of entertainment, informative programming, human issues, holistic medicine, nutrition, physical fitness, education, womens' issues, a travelogue of New Jersey, insurance issues, law, banking, family issues, career advisement, and they even had a missing persons' hotline to address that crucial effort. So, you can see there's a wide variety of informative programs being given to CTN.

It's a very difficult position which I face right now because I've had a love affair with my association with CTN, with New Jersey, and with all its programmers. I was fueled by being able to do this. We were told many different things and as I went over my notes that I had collected over the past four years, I knew it wasn't my own personal dream that I was reflecting. It wasn't only CTN's personal dream. But there are things in writing -- things that have documented what was said to you today about 75%. You've heard that over and over again -- about it's not meant to be a vehicle to make the shareholders rich, but to give to New Jersey the information that they so thoroughly needed.

I have received written and verbal communications from the President of CTN and from the Executive Director saying, because of the efforts of my colleagues and my co-chairperson, and myself, CTN is what it is today. Because of that, I think it would be a vital loss for New Jersey to now be cut off from what they have now been used to getting.

There was an article in one of the major national cable publications that New Jersey Network is being eyed by other states because of its uniqueness in its teleconferencing, its education, and its statewide linkage. And then it said that the Health and Human Service programs as well as the Education, and all of the other subcommittees, would be given all the hours that they would need if they could fill them.

Over the course of four years, we've increased our programming, but in retrospect, we have been told that we would be given less amount of time, the committee chairpersons have been put in the predicament of taking a smaller piece of the pie and sharing it with much more quality programming.

It's the law of physics. You can't put a quart of liquid in a pint container. It puts me in a very untenable position. The people whom I represent have garnered their own time and energies and monies. We represent State health institutions, law practices, private persons who all had a dream to work towards New Jersey.

I ask that if this vessel, not the Titanic, is irreparable, that another vehicle that is much stronger, much more durable, and with a sense of direction toward New Jersey be supplied somehow through your efforts, so that our voice can be not turned down or lose its impetus, but that the volume is turned up through your efforts so that all of New Jersey knows what they have and how it would be held by you and your efforts. Thank you.

ASSEMBLYMAN MILLER: Any questions?

ASSEMBLYWOMAN SMITH: Thank you for coming.

ASSEMBLYMAN MILLER: While you were talking, I was just thinking, because the FCC has taken all of the control off and the States don't have too much to say about it any more; but I just wonder whether or not if you follow us down the line through the OCT, that maybe-- Just maybe we can take that channel away from them and turn it back over to the State by

way of the FCC, because of them not fulfilling their commitments?

MS. THOMPSON: Exactly. I don't think a heartbeat should be and can be lost, I think, because we are being heard so quickly. Decisions were made quickly, and you are hearing us quickly. So, I don't think the heartbeat can be lost.

I think something bigger and better and more directed to New Jersey can come out of this. There is growth out of this. It's like a diamond being hewn.

ASSEMBLYMAN MILLER: Something good has to come out of this.

MS. THOMPSON: Of course. Thank you.

ASSEMBLYMAN MILLER: Thank you ever so much. We're going to take a five minute break. When we come back, we're going to have Al Stender of Cable Television Network to come and testify.

(RECESS)

AFTER RECESS

ASSEMBLYMAN MILLER: Can we start this meeting, please? We have Al Stender from the Cable Television Network -- CTN. Al, you've heard all of this testimony this morning. It looks like the sides are about even here -- one against the rest of the world, but let's see what you have to say from your side of the story, Al.

A L B E R T N. S T E N D E R: Thank you Mr. Chairman, ladies, and gentlemen. First, I would like to provide a little background concerning the Cable Television Network of New Jersey.

CTN was established in 1981 by New Jersey's existing cable television companies, which proposed to create and construct the first statewide cable television interconnect in

the United States. The original idea for the project is attributed to John Cleary, who was then Director of the Office of Cable Television at the New Jersey Board of Public Utilities.

CTN is a closely held New Jersey corporation, whose stockholders are limited to companies operating cable television systems within this State. In this format, representatives of the shareholders determine the course that the network will pursue as it evolves over the years.

Upon its inception, CTN set out to seek programming input on the non-commercial side from suppliers representing a broad spectrum of civic sources, and accordingly established the Educational, Health and Human Services, Religion, Government and Politics, and Cultural subcommittees. This structure in turn provided an orderly flow of program offerings to fill the available cablecasting hours.

One of the unique aspects of CTN is that its programming mix was designed to provide free air time for cablecasting various types of community service programming specifically directed to the wide variety of interests and activities of New Jersey residents, since our State, in terms of commercial television offerings, is largely limited to the New York and Philadelphia markets, and we had no VHF station until recently.

On the other side of the ledger, CTN represents a substantial monetary investment by the New Jersey cable operators in the construction and operation of the network, which was initially funded by shareholder assessments. Once CTN became operational, a portion of the air time was provided to commercial program suppliers in order that the capital expense and operating budget would hopefully be funded from this source.

As CTN grew, so of necessity, did its staffing and budgetary requirements. The current programming mix of community service and commercial programming reflects our

attempt to reconcile the economic realities of the business operation with continuation of the cost-free access provided to our community service subcommittees.

Recently, many of our network shareholder companies have experienced a severe crunch in terms of their ability to reconcile their systems' channel capacities with the mushrooming number of cable services available, especially the rapid growth in satellite-furnished services. In order to remain responsive to their subscribers, many shareholders have made independent determinations -- for a variety of reasons -- that they could no longer maintain full-time, 24-hour per day coverage of CTN for the foreseeable future. These factors led to the recent decision that original programming over CTN would have to be cut back in order to accommodate the needs of our members.

In January of this year, CTN shareholders voted to amend its original programming hours to a Monday through Friday schedule from eight a.m. until five p.m. On February 13th, representatives of CTN met with the suppliers of community service programming to explain the reduced schedule, at which time those representatives of the program suppliers expressed their concerns with the new format.

These concerns were then discussed at a shareholders' meeting on February 25th, at which time the cable operators determined to push back the effective date of the change from the middle of March until July 1, 1987, since the community service programming allocations have been historically scheduled for changeover on that date.

Additionally, CTN's shareholders agreed to poll the entire cable industry with regard to the specific air-time needs for the CTN channel on each of our members' systems, and they have been provided with a questionnaire which addresses all aspects of this inquiry.

At the present time, the results of that survey are being returned and tabulated, so that we will have a better handle on the total number of weekly air-time hours to remain available for the cablecast of original community service and commercial programming over the network. The results will be distributed to our community service and commercial program suppliers on April 1st.

We are continuing to review all of the programming questions represented by these changes. We acknowledge that the initial timing for the changeover was insufficient to provide our suppliers with enough opportunity to plan for the future. We are also looking at the amount of duplication in the programming currently aired, as well as the least disruptive methods of accomplishing the reduction in programming hours so that each component of our community service program mix will have an equal opportunity for continued cablecasting.

The members of CTN are committed to retaining this network, which remains unique in many respects. The cable television industry will continue to provide access to many types of non-commercial programming for free airtime over CTN as well as on channels maintained by the individual cable television system operators. This is a service which cannot be found in network or independent television broadcasting.

We ask that all our program suppliers participate with us in helping to make this transition as smooth and effective as it can be. Thank you.

ASSEMBLYMAN MILLER: The CTN shareholders are actually the cable companies themselves, are they not?

MR. STENDER: Yes they are.

ASSEMBLYMAN MILLER: Would you expect the shareholders to go along with keeping CTN going with today's needs for channel time? I know you've got the survey out, but--

MR. STENDER: Our shareholders are committed to keeping CTN in existence. The principal problem at the present

time is the need to provide the subscribers of each system with the services that the operators feel will most fit the needs of the subscribers. Because of the channel capacity problems which Mr. Morris mentioned earlier as presently facing many of the cable systems, they do not have sufficient space to carry all of the programming they would like for the cable subscribers in their areas.

ASSEMBLYMAN MILLER: When CTN first came into existence, you've heard the testimony here today on how these people were asked to furnish programs and whatnot to get the show on the road and keep things moving, and at that particular time also, as I recall -- at least in my town -- when the UA-Columbian came in and made all sorts of promises and commitments about being able to tape the board of education meetings and the council meetings and what have you-- And we're going to put TVs in the auditoriums of the schools, and all of this, then all of a sudden it stopped because the CTN network was being put in place. Rather than the individual companies going to all the towns in our areas with the same type of proposition, they managed to get them to agree to go with the CTN thing.

Now, there was nothing riding on that. This was just a sort of verbal commitment. Don't you think that the CTN owners have a moral obligation if not a legal obligation to fulfill that which was committed to way back when you started?

MR. STENDER: With regard to franchise requirements, obviously, any requirement that is contained in an individual cable operator's municipal franchise -- for any town that that operator conducts business in -- that is a matter between the operator and the community, and the enforcement is, obviously, the Office of Cable Television in the event that those commitments fall short.

In terms of CTN's programming, the Network was envisioned as being an accommodation of a variety of interests

to provide programming which would have statewide appeal, rather than the what's called, "local origination program," which would appear on individual cable systems and would have a town-wide or county-wide interest level rather than a statewide level.

At the present time, to the best of my knowledge, all of the cable operators maintain what are called local origination or community access channels on their systems which are available for this purpose. In fact, many of them carry the same telecourses which the representatives from the Education subcommittee have described this morning.

ASSEMBLYMAN MILLER: Joann?

ASSEMBLYWOMAN SMITH: When CTN and all of the cable networks got together to put CTN together, you made a presentation. You got vendors to buy time. You made this nice presentation to all of the people to give them the free air time. That's right and I think it was fantastic. It was gracious of you and everything else.

But the complaints that we're getting from the public and from the people who are going to lose their livelihood because they're no longer going to be allowed to advertise-- They claim they have contracts. You're going to decide who's going to get the free programs, obviously. I think that something happened in the beginning, and I think that as far as marketing and public relations, whoever put this together, I think, should be commended.

The fact is that all of these different groups were told that the civic interest was necessary to give the station credibility, to give it high visibility, to make it an acceptable and popular station that everyone would watch. Now after several years, you have reached that goal, obviously. You have reached the goal of popularity because of the efforts of the universities, of all the advertisers that have their own little programs, of all the other programming there, that

helped CTN become popular and yet some people have said that you don't have the visibility and that you're losing the audience. I don't believe that's so. I think people know who these people are and the shows that are there.

Because in the last few weeks I've done my own little surveys in the general areas that I represent in the eight towns and they know that you exist. Now that's a lot farther down the road from where you started. These people helped you along. Now all of a sudden, dollars seem to come into the picture. The fact that the contracts are not recognized or not going to be allowed to go to tuition-- The fact is that they don't know whether they're going to get their money back for the remainder of the time that they've purchased. The free time-- I can see, well, you've given them that gracious part of it for these many years. They should not have expected to be allowed that free time any longer, because it was at the cable companies' discretion.

I see something wrong here. I see now all of a sudden the dollars are important and you are going to put on a shopping network that's going to take away-- I realize that this is America and free enterprise, okay? But the shopping network will now take the front seat.

I worry about the consumer in New Jersey and the product that he purchases. I worry about the small business person and all the other businesses in the State of New Jersey who will lose money because our people will be buying it over television from Florida and elsewhere. I see a far-reaching effect with what you are proposing here.

If the cable companies -- who are the shareholders -- and stockholders, out of their wisdom, put this channel together and put this station together for the benefit of New Jersey. I wonder why now they have decided to take this away from the people? You are the ones who can make the decision. I would hope that somewhere the decision will change for the betterment of the people of the State of New Jersey.

I just don't know what to say. To me it's kind of a mixed up situation, and most everyone that you talk to out there now says that it's dollars and cents because you're going to get a percentage of what is sold out of the State of New Jersey -- over a shopping network. Is that the way that works?

MR. STENDER: No. If I may respond. First of all in terms of contractual obligations, CTN has various contractual obligations that it intends to fulfill. We do not contemplate breaking peoples' contracts.

ASSEMBLYWOMAN SMITH: All of them? All the contracts?

MR. STENDER: In terms of contracts, when I talk about a contract, I mean a document that is a contract between CTN and a program supplier or a spot supplier, or contracts for CTN to pay out money. Those will be honored.

In terms of the community service programming suppliers, those programs are supplied on a non-contractual basis between CTN and the five subcommittees with time allocated for that program. The problem that we face right now is that the hours allocated for supplying that programming are necessarily going to be reduced.

I'd like to briefly address the matter that's been raised this morning about the Home Shopping Service, because I think it's, in some regard, a red herring. CTN is in a business. It needs revenues to operate. The cable companies that established CTN when there was no revenue, contributed funds by way of assessments to the construction and operation of the network.

That state of affairs has continued for several years, and recently reached a point, although I don't have the financial figures with me, where the company was basically breaking even. In order to continue to operate the network, it is necessary that we have revenue sources.

One revenue source that's being explored by the CTN is the use of the Home Shopping Service. Home shopping services

are carried not only on CTN but also on individual cable systems. CTN now carries one from midnight until six o'clock in the morning. The reason for that is to provide the revenue to pay the expenses so that we can continue to offer time to community service people.

ASSEMBLYMAN MILLER: It was said that we dropped from the original 75% of the air time that was allocated to the groups here today, down to something like 20% or 30% today?

MR. STENDER: I don't have figures with regard to what the-- Well, I can tell for a fact that CTN presently, is offering substantially more than 14% of its air time to community service programming. Although I don't know what the figure is, I'm sure it's in excess of 50%.

With regard to the number 75% that's been raised this morning, at the time that CTN originally became operational and prior to its becoming operational, we really did not have any way to predict how the allocation of programming hours, in terms of commercial and non-commercial programming, would work when that was set up alongside what it would cost to construct and operate the Network.

As we began operation, we bought the equipment that was necessary to start CTN, began to staff the operation -- to actually provide the programming over our cable service. We then were able to start determining how much money we needed to operate the Network. That, in turn, brought us to the question of how to allocate the programming hours so that we would hopefully be able to cover our expenses and make CTN self-sustaining.

Obviously, the cable television operators in this State are businessmen. They are in business for the purpose of generating a profit for their shareholders. It was not envisioned that CTN was going to be a tremendous profit making enterprise, but at least the cable operators hoped that it would break even so that the negative flow represented by the assessments they had to pay to get it started would stop.

So, the actual number of programming hours devoted to commercial and non-commercial programming, to a large extent, reflect the expenses within it to continue operations.

ASSEMBLYMAN MILLER: I understand that; I understand the business aspect of it. But I also, if you get it down to 30% or 13% or whatever it is-- I would imagine they are not the prime hours also, so that's something else that fits into the scheme of things here.

The Governor has a logo, "New Jersey and You," well, I think that fits CTN: "New Jersey and You." I think it should be changed to "New Jersey and Us" meaning the rest of us in the outside work here to see if we can't think about the people.

Personally, I think CTN has an obligation. When you went into business, you committed to an obligation -- not you, but the companies did. You know, we put our programs on to take care of this thing. You had to get started. Now you're started and you're beginning to make money -- losing money, if you wish -- and now you are down to 13%, and you want to take the 13% away. That's going to make the big difference to sustain you people and keep you out of the black.

I think each individual shareholder in CTN has a financial obligation because the cable companies go to individual communities looking for support to get into these communities and I think they've got to get something back instead of taking it away from us. Now I don't know how we do that legally, but I would say this, that I don't know how we take the CTN channel away from the 28% of the people, but maybe New Jersey has to buy it out.

New Jersey has to get its own channel, and maybe through having its own channel, when you people come in looking for local contracts, at that particular time, the bite is put on you and people will say, "Look, you're going to get a contract, but you're going to tie it into the State network." Now it may take time to do this--

I would think that -- and believe me, with the people that are here and the legislators that we have in this State, and we know how educationally minded they are -- I think you guys are in trouble someplace down the line. Before it reaches that point, I think you ought to reconsider your position. Compromise someplace -- don't know, 50-50, 60-40, or 30-70, I don't know what it is -- but I think someplace down the line you had better start considering telling your shareholders that they had better change because if they don't, we're going to put the bite on them somehow.

I may not be here when the final bite is taken, but the direction is here and we're going to move on it. We're going to be waiting for the Office of Cable Television to come back with their suggestions and thoughts; and hope that they will have some hearings on this so that they can come up with something practical.

Work with other states and see what they are doing. If need be, get Congress to change the stuff. I recognize it's difficult. The cable networks were -- when you first came -- very successful in keeping the State from becoming involved in this thing. You were going to take care of the whole thing, which was part of the deal and part of the selling point at the time. Towns bought it; legislators bought it; the whole works.

ASSEMBLYWOMAN SMITH: Contracts were not lived up to.

ASSEMBLYMAN MILLER: Yeah. Now, you know, maybe you don't have something in black and white. Maybe it doesn't say that you are going to do this, but there were handshakes and there were agreements. In this democracy, a handshake or a verbal agreement is as good as a contract, as Ben said before, and that is basic law.

To me, I think you really should go back and take a look and take the message to the people that you represent and tell them that they are in trouble. I really do.

MR. STENDER: Let me tell you this, Mr. Chairman, our shareholders are well aware of the adversary action that has been generated by the proposed reduction in programming hours. That is the purpose of the survey that has been sent out to our shareholders so that they can tell us what hours will be available to carry CTN programming.

This 13% figure-- Well I don't know exactly where it came from. I presume that it represents the proposed allocations of community service programming time vis-a-vis the 24-hour a day original programming schedule. That's not the case, because the shareholders proposed to limit original CTN programming to the hours of eight a.m. to five p.m. So, we're not talking about 13% of 24 hours per day. We're talking about limitations on a number of hours that original CTN programming is cablecast each, because many of the operators have a need for that channel capacity for the other hours of the day.

ASSEMBLYMAN MILLER: Well, those figures will be brought out. I'm sure they can be substantiated one way or the other. Maybe it's 13% of the eight to five, I don't know.

MR. STENDER: I can assure you that it is not.

ASSEMBLYMAN MILLER: I would assume so. But I think that that is something that is factual and can be determined. I really believe that the owners of the CTN do have an obligation to serve the public. I think that what they are doing here is that they are not doing that at all. I personally feel that something has to be done in that direction.

So I would ask you, please, to go back to your people, even after your survey comes in. And they are businessmen as you say, so they are going to say, "Wait a minute. I don't have to tie into that CTN network. We'll put something else on that we'll make money on." That's the businesslike approach to it.

But there is a certain amount of moral obligation, I think, on the part of the owners to do something about this, too. Does anybody else have any questions? Joann?

ASSEMBLYWOMAN SMITH: No. Just the fact that I think that the commitments were made, and the threat is on everyone's head that if we don't come to some kind of an agreement or compromise, we're going to take CTN off the air. I think that it's just not fair to the people. They helped, like I said before -- at the risk of being repetitious -- they helped you to become popular and they helped you to become highly visible in our society in the State of New Jersey.

And now when they have outlived their usefulness and you have already reached the high level that you want, and it's to the credit to the people, now all of a sudden they're being pushed aside because the other members of your stockholders' company, who are all of the people who are going to air this company (sic) or take it off the air, they've decided to take it off the air. Now they want to make money.

I don't think it's fair to the people. I don't think it's fair to the people of this State, to the students, to the private enterprise people who are going to be hurt by it. If it's just the bottom line to make money, open it up and say that's what it is. Be up-front with it.

But let's not keep going around in circles and cutting time and saying that we're making progress and negotiations, or we're going to negotiate or anything. This has been going on to my knowledge for a lot longer than I was made aware of by someone who lives in my community who is involved in this.

I'm sure that they are all hurting out there. They're all concerned. It seems that the bottom line is if it is money, I would hope that that would be a sad thing for the State of New Jersey. I hope that the people should come first. That's all I have to say Mr. Chairman.

ASSEMBLYMAN MILLER: I thank you for coming down. I really do appreciate the fact that you did come down in view of the fact that you are the only one here from the CTN. Everybody is on the other side of the table here. Is there another person here?

MR. STENDER: Our director and president are also in the room.

ASSEMBLYMAN MILLER: Yes. Okay, fine. I do appreciate this, sincerely. Even though I disagree with you, I do thank you. Thank you very much.

ASSEMBLYWOMAN SMITH: Just one more comment. You know there was a brochure that I was given from someone from CTN at the last meeting I went to. It looked very nice. It was this gentleman's picture with the Governor saying last fall, "New Jersey and You - Perfect Together. CTN." Shortly after that is when all of this started. I think it's kind of a little bit different.

ASSEMBLYMAN MILLER: Okay. I have Bertha Tambor and Nance Carlson. Are they here? Okay, they are cable TV producers. I guess these are the people who are being hurt by the program.

BERTHA TAMBOR: Yes. The timing is perfect because I would like to just say this, Mr. Chairman--

ASSEMBLYMAN MILLER: Are you--?

MS. TAMBOR: I'm Bertha Tambor.

NANCE CARLSON: And I'm Nance Carlson.

MS. TAMBOR: I'm an independent producer who's been providing CTN with two programs: "New Jersey Health" and "New Jersey Issues." I have a written prepared statement but I don't know that I'm going to read this because I just have to respond to it.

On my "New Jersey Health" programs, I address issues of State concern -- health issues that affect people living and working in New Jersey. I get companies, sometimes, to pay for them; sometimes I bear the cost myself.

If I can't have air time after five p.m. or on the weekends, nobody is going to pay for production. I started another series, "New Jersey Issues." Those are political issues. The same thing applies there. I will no longer produce for CTN. That's a fact.

I have some testimony here from some of the legislators who have appeared on my programs. I was going to do it so nicely -- I was just going to read my statement and that was going to be it, but it didn't quite work out that way.

I contacted some of New Jersey's legislators who appeared on my public affairs programs, "New Jersey Health" and "New Jersey Issues" to ask how they would feel about losing community programming after five p.m. and on the weekends on CTN. Here are some of their comments:

Senator Gerald Cardinale of the 39th district said, "Community programming is valuable and we should try to keep it, if at all possible." Assemblyman Robert Singer of the 10th district said, "We need to keep community programming on CTN." Assemblyman William Schuber of the 38th district said, "Speaking as both a legislator and a subscriber of cable TV, I support every effort being made to see that community programming is given preference over home shopping during prime hours." Assemblyman Nicholas Felice of the 40th district stated, "Community programming has a very high priority because it provides a valuable public service, especially for senior citizens and disabled persons."

Some of the issues that we have covered are advances in science and better medicine of Dr. Coye, "REACH" which is the new welfare program that the Governor just developed, Medicaid as it applies to New Jersey, Rate-on, nursing homes, drugs on the job with Attorney General Cary Edwards, safe food which addresses the food and radiation problem, health insurance as it applies to New Jersey, the professional liability insurance crisis with the medical society and with

insurance people, the Right-To-Know which is the Department of Health, safe drinking water which is the Department of Environmental Protection, and it just goes on. This was my statement.

ASSEMBLYMAN MILLER: We appreciate it. How about Nance?

MS. CARLSON: Yes, I appreciate you allowing us to have some time. We do represent two different positions. I produce, as the President of Montage, a great deal of cultural programs for CTN. Because a decision had been made to put the community programming in the daytime, often my company would, on its own, buy the time in the prime time on CTN to put the cultural programming on so the people could see it, who happen to work nine to five.

Perhaps the best way to address some of the concerns that the independent producers have would be to go back and tell you a little about Montage -- a woman-owned company which is six years old. I have worked for 15 years in the cable industry so I know it well from the inside and I know some of the things that were spoken of earlier which are not true. We will address that.

Six years ago it became apparent that the cable companies were more interested in selling HBO, PRISM, Cinemax -- things like that -- than they were in honoring the obligations that they had made to the people when they got the monopoly -- the franchise. So, I withdrew from the cable industry. I set up Montage to produce programming of a regional nature.

I'm not from New Jersey, as you can probably tell from the accent, but I've been here long enough and I consider myself a part of the State and I take pride that it is something more than a Turnpike. I take pride in the fact that it has a great history and culture that most people are really not aware of.

So, I set out to produce programs of that nature. We produce things like "College Bound" which is an award winning show that helps the young person to make a decision on where to go to college or if they should. We produce programs like, "Living Longer and Loving It," which is aimed at the 45 plus audience which New Jersey has the second highest population of that in whole country. That also ran.

We did programs like "New Jersey, the Good Life." The program I must say I have never seen on CTN because the cable company that services my area, back in November of 1985 made the decision to take it off at six o'clock and to replace it with a Spanish channel. Therefore I have never seen that show, even though we continue to produce it, and it just was taken off two weeks ago because of the decision that we are now discussing today.

I cannot ask advertisers of which DEP was one, New Jersey Travel and Tourism was one, Jersey Central Power and Light was a sponsor-- I could not ask people like that to continue sponsoring a show that I did not know whether it had any life continuing past March, I thought, and now June. So, I dropped it.

This kind of programming was produced by a New Jersey business. I am not alone. There are many other people who are here today who perhaps will be destroyed by this because the only thing they produce is programming for CTN. I am not in that position, but I do resent the audacity of the stockholders which are the cable owners in saying that CTN was not making money. It was breaking even after four years. Ted Turner would have kissed himself and thanked the Lord had he made a profit and broken even after four years.

Most of the networks -- ESPN, you go right down the list -- nobody expects in this business to be making a profit after four years except for the cable operators. Let's go back for example to the statement that you have the option of local access. You don't always have the option of local access.

For example, the system that covers my territory that knocked off CTN-- I went to them a month ago because I have a new stock market show that's running in New York, Connecticut and individual systems in New Jersey, because I can't trust CTN. I went to this other system in southern New Jersey and I said, "Can we purchased time?" They said, "Oh certainly. We have time on our local -- in between our shopping channel." The time was 11:00 on Saturday and they wanted \$350.00 for that. Now how many people who are interested in the stock market are going to fight their kids on a Saturday morning?

They do not have a local channel. They do not have CTN. We have 36 channel options there. We have five movie channels which you must purchase. We have two preview channels. We have four shopping channels. We just got a new one this week. You can now buy a VCR off of a cable program that sells them.

I would think that someplace in the mentality of these cable operators there is a thing called conscience -- responsibility to what they'd promised when they received the monopoly. It is bad enough that they control my town, that it is the only thing I have. As a producer they now can say what I can put on, because they are not going to permit me to have that luxury.

But isn't it time that the consumers' rights be considered here? Isn't it time that the FCC be approached and say, "Hey guys, it was nice to let capitalism take over in free enterprise, but perhaps we ought to just back off just a bit?"

Cable had wonderful things to offer to the population in its early days, and I know; I was there. But the thing called, "greed" entered. The thing called, "Let us get back our percentage from everything that is sold on a shopping channel in my franchise. Let me sell another movie service." They are not going broke. In fact I think it's difficult for

them to carry it all to the bank. I think it's time that someone at some level steps forward and says, "Stop." There's plenty out there and let CTN be given back to the people of New Jersey.

I have a letter which I sent to every legislator, senator, congressman -- this week I haven't done much on Montage. I will enter that for the record, please, and you can all find it on your desk, probably today.

Do you have any questions?

ASSEMBLYMAN MILLER: I just want to say that was a great presentation. I don't think there's anybody in this room that disagrees with you, except perhaps the CTN people themselves.

MS. CARLSON: I have sympathy for their position, okay, but I must say that this time they've gone too far.

ASSEMBLYMAN MILLER: You know, as you say, when they first came in, it was really a remarkable thing. You know, here we were going to have our own public network, and what have you. I see the dollar signs blinding--

MS. CARLSON: We all want to make a buck. But, we have obligations. I have often done things as a businessperson for nothing. I've made PSAs on AIDS -- which are running on CTN, and which have run on other stations -- for nothing. I make all the things for the United Way for nothing. I do that because I feel an obligation to my community, because the Lord gave me certain skills, because my society gave me a way to make money; I was smart enough to be able to take that and put it together. Therefore, I give it back willingly. It's time for someone else to give it back.

ASSEMBLYMAN MILLER: I would agree. Thank you ever so much.

How about Dolly Vasta? Dolly? Did Dolly leave? Okay. Now we have Diana Peck, from William Paterson College. And, how about Peter Wiesner, from Rutgers? Oh, I'm sorry,

Bill, can you hold a second? How about Tom Lancaster? Is Tom here? Let's keep William Paterson College together here, all right?

Welcome.

D I A N A P E C K: Hi. Thank you. Thanks for letting us testify at the hearing today. I find it very heartening that you are taking time out of, I know what is a crowded schedule to learn more about cable television in New Jersey. I first became interested in cable television 10 years ago, when I realized that cable could be more than just one more entertainment medium. At that time, I learned, particularly, that cable access offered the ordinary citizen as well and non-commercial institutions -- like William Paterson College -- the ability to reach the public using an electronic medium via the access channels, something that was not possible otherwise. No longer did an organization such as the American Cancer Society, let's say, have to settle for just a 30-second public service announcement. Now it could actually put together a whole program to educate people about how to avoid cancer or how to keep themselves healthy.

I worked, at that time, to make access a reality in every cable system by volunteering my time to the National Federation of Local Cable Programmers, a nonprofit organization which promotes local, particularly non-commercial programming on cable. And, from 1981 until 1983 I was the Chairperson of that organization. Also, in 1981, I wrote "The Cable Television Franchising Primer," and we sold more than 3000 copies to municipal officials around the country. I wrote that in the hopes that that would help them improve the chances for including access channels and other community service provisions into the franchises that were being written at that time.

These experiences taught me that cable can be much more than sports, movies, and shopping channels. Cable has the

potential to deliver college courses, as we've seen, other kinds of narrowcasted programming for special audiences, and for delivering local information into people's living rooms. Cable also gives people who produce non-commercial programming an opportunity to reach an audience. For example, a few years ago, a group of handicapped people met regularly at UA-Columbia's Clifton access studio to produce programs that reflected their unique perspective. Only cable could give them that kind of opportunity.

New Jersey made cable history when it became the first state to have a statewide interconnect. CTN was a ground-breaking move, and the cable industry is to be congratulated for taking that step. CTN was not special, however, just because it could distribute programming throughout the State. ABC, CBS, and NBC are already doing that. CTN is special because it delivers, among other things, the kind of non-commercial programming and news programs that make cable unique. And thanks to CTN, New Jersey residents can receive those telecourses, arts programs, news programs, and messages from their local, county, and State officials that they just can't get from any other place.

As Federal and State regulation is written today, there is no requirement that the cable industry provide a service such as CTN, nor am I arguing that there must be. If we can convince the cable industry that it is good business to provide a unique and valuable service to its consumers, perhaps it will not be tempted by the short-term profits promised by a shopping channel. Perhaps the industry will decide for itself that the partnership it has already entered into with New Jersey's colleges and other non-commercial institutions is worth preserving. Only the State Legislature could decide whether that kind of partnership could be mandated.

William Paterson College, of course, is deeply concerned over CTN's decision to curtail so severely the

programming hours. William Paterson has spent close to \$1 million in the last three or four years to develop what may be the best college television production facility in the State. With deference to my colleagues here, we like to think so, anyway. We also have just received a \$1.4 million Governor's Challenge Grant to be spent over the next three years in telecommunications. Some of the things we plan to do with that are to continue outfitting our television studios; to outfit ourselves for teleconferencing, which will include one-way video, two-way audio. There is also a provision in that grant for an up-link, which would allow us to go two-way video in the teleconferencing. We would like to be able to use those teleconferencing facilities particularly for non-commercial purposes, because the non-commercial institutions are finding themselves priced out of that market, as well as out of the television distribution market. We already have a cable head end on campus; we already operate our own 12 channel system--

T H O M A S J . L A N C A S T E R : Thirty-two.

MS. PECK: --32 channel system -- excuse me -- right out of our building in Hobarth Hall. We already have one down-link, and as soon as the ground unfreezes we'll have a second down-link installed. We have three television studios. We have remote equipment. So, we're already very well outfitted. And, I'm pleased to say we're using that to produce programming. And, it's these facilities and the ability to produce programming that have attracted our more than 700 majors in the department.

Some of the programs we produce are a magazine-format news program called "North Jersey Magazine," which is on CTN. We produce a program called "Campus Concert Hall," which brings performances of professional musicians to a statewide audience. We produce a jazz series, which features the students and faculty of our nationally-ranked jazz studies program at the college. And, for more than 10 years we've

produced "High School Bowl," which, thanks to support from UA-Columbia, is able to offer students from 40 northern New Jersey high schools scholarships by competing academically with questions "College Bowl" style. We also regularly produce programs in which President Speert and other college officials, other State and Federal officials, and local officials can discuss issues of importance to the surrounding community.

And also, thanks to the cooperation of UA-Columbia, we are able to distribute this programming not only over CTN, but over the local access channels. We are entrusted with the educational access channel in our area, and can reach six surrounding communities. And, we're pleased that if CTN were to disappear tomorrow, at least we would have that means of reaching an audience. Or would we?

The Federal Cable Communications Policy Act of 1984, thanks to an amendment sponsored by Senator Lautenberg, permits municipalities to require access channels when franchising or refranchising. As Chancellor Hollander promised I would mention, the New York State Cable Commission, a representative of whom is here today, has proposed regulations requiring access channels on all systems with more than 20 channels. But, New Jersey has no such requirements. In fact, in the past, I believe New Jersey has actually prohibited municipalities from requiring access channels in the franchise document itself.

Perhaps it is time for the State Legislature to consider a mechanism which would require or at least encourage, municipalities to write access channels into the ordinance when refranchising. The majority of New Jersey's cable systems are up for refranchising within the next five years, and they must start this process three years prior to the expiration date. Then, should the cable industry decide, as it did in the case of CTN, that they wanted to cut down on the opportunity for non-commercial programmers to use the system, at least the access channels would remain untouched. The institutions which

the State is working so hard to develop could continue to reach at least a local audience.

In contemplating whether to require access channels, I hope you will consider not just the interests of the colleges, but also the interests of the cable consumer. The 1984 Federal Cable Act deregulated rates, as you know, and many other aspects of cable. If the access channels were to disappear, I fear that cable subscribers will only receive more of the same old sports, movies, and shopping channels that they are already getting. Apparently, as we speak, there are more than 20 shopping channels in development for satellite distribution. Subscribers who miss the access channel won't be able to subscribe to another cable system, because, with the exceptions of Paramus and maybe one or two other communities, there's only one cable operator in each town.

New Jersey is on the brink of being a national telecommunications leader, particularly in higher education. Cable can be an important part of a model statewide network. I ask that you continue to work with consumer groups, such as the Cable Users Association of New Jersey that was here today, with access organizations, with educators, librarians, and other people who represent the non-commercial interests. We don't always have the time and the budget to send lobbyists down on a consistent basis, and that's why hearings like this are so valuable to us. And, to do so would not only benefit us, the colleges, but also the millions of cable viewers in New Jersey. And finally, I feel that by better serving their viewers and developing the special qualities that make cable unique, the cable companies themselves would benefit as well.

Thank you. Oh, incidentally, I want to invite you all to a workshop that Tom and I are organizing on refranchising, which we are holding for municipal officials. And, thanks to support from the Department of Higher Education, we are able to offer people the workshop and lunch for \$5. We are hoping that municipal officials will come and participate. So, thank you.

ASSEMBLYMAN MILLER: Okay, very good. Do you have a copy of what you just said?

MS. PECK: Yes. It's right here.

ASSEMBLYMAN MILLER: Okay, fine. Tom?

MR. LANCASTER: We've all heard the history of CTN, how it was conceived as a statewide local programming channel, and how a once-partnership between the public and the cable television industry is fading from our dreams. With a two week notice the CTN shareholders, a.k.a. the cable operators in New Jersey, were going to avail to the cable operators of New Jersey who make up CTN, a no overhead shopping channel in lieu of an in-the-black, narrowcasted, made in New Jersey, by the people, for the people, statewide television channel.

It has such a powerful lobby that the cable television industry is virtually unregulated. This unchallenged industry is permitted to have exclusivity in our communities. I wish I could enjoy guaranteed business for fifteen years. And now they are able to charge whatever the market can handle. The market. Tell me we don't need television-cable television, in a state that imports most of its programming; in a state that is the most densely populated state in the country -- cable thrives on density -- in a state that where 2.72 million -- 99% -- of households have television and 1.65 million -- 61% -- are cabled; and this is in a country whose dominant medium for information distribution is changing from the print medium to the electronic medium. Our information distribution system connects our diverse culture, and affects the way we perceive our world both in content and context. How can the people of New Jersey affect this industry in the marketplace? This is a dangerous situation.

There is a need to take a closer look at this industry. When this story broke I called many people. I wanted to understand what was happening. After all, my college invested heavily in programming to make CTN viable. Why would

an industry forsake a once needed relationship with the public for a lucrative option?

Before cable, television was free. Programs were transmitted over the air. Advertisers sponsored broadcasters. If the program didn't work, couldn't deliver a healthy percentage of shares of viewers, the program folded. That was competition. Cable television came in to deliver a better picture. Then satellites began to deliver more distant programming. The viewer is having greater choices from diverse sources. But the source of the content is beginning to shift from content-oriented producers to bottom-line accountants. And that is dangerous.

They say there will be greater channel capacity in two and a half years. That is to rebuild the old mom and pop systems bought up by the out-of-state megacorporations. What will rebuild bring? A vice president of a cable system whose headquarters is out-of-state told me that they want to put in "addressable" up there in New Jersey. Addressable means pay per view. Imagine paying per paragraph in the newspaper or magazine or book that you read. And imagine what happens with the information about your viewing habits. Does that seem dangerous to you?

A lobbyist for the cable television industry in New Jersey told me that cable television, a.k.a. the Cable Television Association, is not related to CTN. I agreed that legally they were not, but I was coming from an ethical point of view. That though they were a private enterprise, enjoying exclusivity in communities, FCC deregulation, virtual unrestricted growth, and the right-of-way on our community streets and Federal air-space, that they should be more responsible. The lobbyist said you don't have to buy cable television. And you once didn't have to buy telephone service; and you once didn't have to buy electric service; and water service came and went via wells and septic. How much

consumption of a mass service has to take place before it is considered a necessity? When the consumer begins to rely on cable television for most of its information, what marketplace will check and balance it?

There is a danger in that our information infrastructure is being watched passively. If the medium is the message, we are how we communicate.

In education, we should begin incorporating the grammar of the electronic media in our language arts classes. We should also take an active look at this industry that enjoys the freedoms we extend to it.

Perhaps the industry should be regulated. I cannot believe this industry is not profitable. Perhaps this Legislature can permit the Office of Cable Television a more consumer activist role. Perhaps a mandate from the Legislature could: restrict franchise agreements to only five years; increase the percentage of receipts back to the community; require rate changes and channel allocation to be approved by the community; require cable system ownership to be restricted to New Jerseyans; limit the number of pay channels; allow the phone company to compete for video services with fiber optics; and require more access so we don't become passive, compulsive consumers of television, but active participants in our information infrastructure.

Thank you for your time.

ASSEMBLYMAN MILLER: Very good Tom. Thank you. Do you have any questions, Joann? (negative response) I have no further questions, Tom. I'm all questioned out here.

MR. LANCASTER: I understand.

ASSEMBLYMAN MILLER: Thank you.

We have one more on the list. Peter Wiesner, from Rutgers, my old alma mater. Come on up here, Peter.

P E T E R W I E S N E R: A tough act to follow. I have a written statement which represents the point of view of Rutgers

University. What I'm going to do is touch upon some of the points, and add a few personal notes. So, here's the written statement. (witness distributes statement)

A little bit of history; I keep on saying that when I go to these meetings. I came to Rutgers two years ago. Before that time I worked for the community college in Newark -- Essex County College -- and I was involved in some of the very early discussions. This was before John Cleary's name ever came up in connection with the statewide interconnect. We had meetings at the college, first with a Mr. Dusenberg from the Office of Cable Television, and then later Michael Doyle from the Office of Television, discussing the desirability of the statewide interconnect.

You ask yourself, why did we want it? Well, the community colleges were very active at that point in providing telecourses to students who could not attend school for all the reasons that have been mentioned. At Essex we got together with some of the other schools, like Bergen County College and Morris and Union, in the North Jersey area, and we created a mini-interconnect by forging linkages between UA-Columbia and Suburban Cable Television. We, in fact, even paid for the microwave links which made that marriage possible. We were providing telecourses to over 100,000 people at that time. This was a grass roots commitment that the community colleges made at that time.

Why did we want CTN? It was awfully difficult to provide individual cassettes to the scores of cable systems throughout the State. It was cumbersome; not timely; certainly not cost-effective in every way. So, when the discussions with the Office of Cable TV began, we were really excited. We thought boy we could do something really unique in this State, to create a system which would be dedicated to public service programming -- only to public service programming.

And of course, what happened after then-- You know, my voice tends to lower as I discuss what happened subsequently. We were associate members -- Essex County College -- of the New Jersey Cable Television Association, and as the plans proceeded to wrest the idea away from the Office of Cable Television, we were pretty much excluded from any kind of participation. In fact, we were excluded from meetings at which the concept of CTN was discussed by the cable operators.

So, I never felt that CTN was born in the spirit of any kind of partnership. If there was any handshaking, perhaps the left hands were involved.

So, when the 75/25% formula emerged, we said, "Well, it's only a matter of time before they take away all of it." They didn't give us the evenings which we really needed in order to serve adult students. And now they're taking away all of the weekend. It's finished. The proposal that is now being forwarded, effectively eradicates public service programming.

Now, the arguments I hear on the part of the cable operators. They run something like: "Well, what you're putting on isn't as popular as some of the other basic services." Or, "Well, even if we don't offer home shopping, we've got some other goodies out there that are really a lot better than public service programming on CTN." Of course, when they say that, they lose sight of the initial concept, which was to create a statewide channel which would be accessible to educational institutions and public service groups. We were never there to compete for ratings. We were never there to compete in the marketplace. In fact, if you ask the libraries to compete with shopping malls, I don't think that would be a fair challenge. And, I don't think we should be asked to do that.

So, then in fact we're in a double bind. They're asking us to be popular, but we don't have any evening programming time; that's the time when most people can watch

television -- especially working adults. That was pointed out earlier.

So, under the new proposal-- We just did some calculations back there. You know, we're going to 26.6% of the whole enchilada. Well, that's a far cry from the original 75%. But to my way of thinking, it should have been 100%. That's what the State needs in our estimation.

At Rutgers, we are a member of a large higher education and public service community. We do our bit. We produce "The Rutgers University Forum," which is a public affairs program which brings together educators, with journalists, lawmakers, and other public officials, and every week meetings take place at the Eagleton Institute, and real issues are discussed. Now that program appears on CTN. It's a program that Rutgers has produced consistently for 40 years. And now, suddenly, what's going on? We are not going to be really able to-- Or, we're going to have to cut out somebody else in order to show it on CTN. I don't think that's fair. We run other things on CTN: "The Rutgers Symposium," which brings public figures from all over the country to our studios, and we would like to make that accessible to the people of New Jersey.

For Rutgers, CTN means the capability of taking our University resources, and making them accessible to the people of New Jersey. We have an added problem of having three campuses: Newark, New Brunswick, Camden. Of course, the Department of Higher Education is now working feverishly to plan a telecommunication system so that we can even talk to our own campuses. Now, we still have to get to first base. But, we want to get home. We want to be able to make the University accessible to the people of New Jersey.

We think that CTN is a unique opportunity for the State to put itself as numero uno in the country in telecommunications. This is a departure from the legacy of

having no service, or very little service, from the area of broadcast.

So, I thank you, Chairman and the Committee, to allow us to vent our concern.

ASSEMBLYMAN MILLER: Very good, Peter. I appreciate your comments. Do you have any questions-- (negative response) Thank you. Is there anyone else who would care to testify or speak? We've gone through the list we have in front of us. If not, do you have any closing comments you'd like to make?

ASSEMBLYWOMAN SMITH: I would like to just briefly say thank you to everyone that's here from the cable companies, and from the other interested parties throughout the State. And, I would hope that, as a result of this meeting, maybe you people can get together and try to iron out something. Maybe a compromise can be reached and a door can be opened to continue more than what you are allocating now, or what you're contention is to be.

How can we impress upon the shareholders the necessity and the magnitude of the need of this, without having them turn their backs on the people of New Jersey? I just hope that something can be resolved and everything will work out to everyone's credit, for the State of New Jersey and its people in the future.

Thank you for coming.

ASSEMBLYMAN MILLER: Thank you, Joann. Just a few notes that I made while the discussion was going on. I think there's a moral if not a legal obligation on the part of CTN and the owners. I think the dollar sign versus the committed obligations that were made way in the past. The OCT will be reviewing the obligations and commitments to the State, and there will be hearings on this, I understand, in the very near future.

As Joann just said, I think the message here is that you better come up with a compromise of some kind. If you don't I think the State Legislature will do what they can. I might also say -- I don't know how important it is -- but I do serve on the Communications Committee for the National Council of State Legislators, and we do get in to see Elizabeth Dole, and a few of the others around in Washington, and we're on a first name basis. And, I don't know what that means to me, except that at least I have a door open to me to go in and try to get some of these things straightened out, if they can't be straightened out through mutual agreement.

I think this is a consumers' affairs involvement. I think they will become more involved in this as this thing goes down a little bit. I think that we, as consumers of TV programs, are going to be checking more into that area of it also. I think there is some justification for doing that. It's clear that something must be done to keep New Jersey, and us, together.

I don't watch too much TV. I just don't have the time for it. But my wife does, and I get caught up every once in a while. And, you know, I don't know about J.R. and Bobby; that sort of disgusts me. And President Reagan's wife and the vineyards -- you know, I get the two programs mixed. And sometimes I think J.R. is going to appear in that program. They're all the same. And then you see a lot of cops and robbers and drug programs. I see very little if any programs that I can sit down and look at and really enjoy because of the content. Really, I, as one individual, am sick and tired of the gunsmoke all the time -- it used to be cowboys and Indians, now it's cops and robbers, and drugs and dopes, and you name it. And, I never know which husband is in bed with whose wife, or which wife is in bed with whose husband. If you don't stay with every program you lose out as to who belongs to whom. You know?

And, I just think the CTN Network is such a breath of fresh air on the entire television scene. And I think that the stockholders in CTN are missing the boat here. I don't think they're capitalizing on it the way they should. I think there's got to be something here someplace that's going to try to straighten this thing out.

I guess the League of Municipalities is going to have to be more aware of this; I think the Conference of Mayors; I think your organization of county officers, or county freeholders; I think they're all going to have to become involved. And, I think on top of all of that, I think we're going to have to stay in touch with the FCC and the people in Washington, and our Congressmen, and unless this thing can be changed around and straightened out through some sort of a mutual agreement here in this State, I think the price is going to be brought to bear to force some sort of a compromise. Maybe even to the point that we have to have our own State run statewide network. And I recognize when I say that I'm talking dollars and cents here, but at the same time perhaps we can make it worthwhile financially to be self-supporting also, if we get into that particular field.

Other than that-- Well, what we'll do at this point -- Bernie Morris, from the OCT, indicated to me that there will be a couple of public hearings in the very near future on this subject as far as the Commission is concerned -- and picking up from there, we will move into some sort of action.

And so, until such time now that I hear from Bernie and that group, because we really should be working hand-and-glove -- Legislature with the Administration -- to see what we can do to try to straighten this out.

Now, I would ask you girls, if you will, go back to your powers to be -- your boss -- and say we want this transcript yesterday. Because, Mr. Morris will need it for his hearings within a two week period of time. So please, if you

will, get that done. And when it's finished, everybody here is entitled to a copy; just call down to the library and see if it's available and pick it up or have it mailed out to you, or whatever.

Again, thank all of you for coming out. I do appreciate it, and I was really surprised to see so many people in a small room. Thank you.

(HEARING CONCLUDED)

APPENDIX



TESTIMONY BEFORE THE ASSEMBLY COMMITTEE
ON TRANSPORTATION, COMMUNICATION AND HIGH TECHNOLOGY
REGARDING THE PROPOSED REDUCTION IN COMMUNITY SERVICE
PROGRAMMING ON THE CABLE TELEVISION NETWORK OF NEW JERSEY (CTN)

MARCH 11, 1987

T. EDWARD HOLLANDER, CHANCELLOR

NEW JERSEY DEPARTMENT OF HIGHER EDUCATION

/x



I WOULD LIKE TO THANK THE COMMITTEE FOR CONVENING THIS IMPORTANT HEARING AND FOR THE OPPORTUNITY TO ADDRESS YOU ON A SUBJECT WHICH AFFECTS SO MANY THOUSANDS OF PEOPLE IN NEW JERSEY.

I ESPECIALLY THANK YOU ON BEHALF OF THE STUDENTS AND THOUSANDS OF OTHER RESIDENTS OF THIS STATE WHO HAVE COME TO DEPEND UPON THE CABLE TELEVISION NETWORK FOR EDUCATIONAL PROGRAMMING CONNECTED WITH THEIR FORMAL AND INFORMAL STUDIES.

EVERY PERSON WITH A TELEVISION SET ON A CABLE SYSTEM NOW HAS THE OPPORTUNITY TO TAKE COLLEGE COURSE WORK. SUCH HAS BEEN THE REACH AND IMPACT OF CABLE TECHNOLOGY. NEW JERSEY'S COLLEGES HAVE USED THIS TECHNOLOGY TO EXTEND ITS EDUCATIONAL MISSION AND TO HELP STUDENTS AND NON-STUDENTS BROADEN THEIR HORIZONS THROUGH TELEVISED COURSES. THE HANDICAPPED STUDENT WHO CAN'T GET TO CLASS; THE ELDERLY WHO ARE HOMEBOUND; ADULTS WITH FAMILY RESPONSIBILITIES WHO WORK ALL DAY AND ENROLL IN COLLEGE AFTER WORK; AND OTHERS WHO THE WITNESSES TODAY WILL TELL YOU ABOUT IN HUMAN AND STATISTICAL WAYS.

BUT THIS IS ONLY A PART OF THE AUDIENCE. CABLE TELEVISION NETWORK HAS OFFERED A WIDE VARIETY OF COMMUNITY SERVICE PROGRAMMING IN THE AREAS OF HEALTH, GOVERNMENT, CIVIC AND CULTURAL AFFAIRS. IN SHORT, THE CABLE TELEVISION NETWORK HAS EVOLVED AS NEW JERSEY'S COMMUNITY TELEVISION STATION, AND MANY HAVE INVESTED MILLIONS OF DOLLARS IN TERMS OF EFFORT, TIME AND PLANNING TO MAKE IT SO.

AND WE DID SO ON THE FAITH THAT A COMMITMENT WOULD BE KEPT.

I COME BEFORE YOU TODAY BECAUSE I AM CONCERNED THAT A FRUITFUL AND EXCITING PERIOD IN CABLE TELEVISION IN NEW JERSEY IS ABOUT TO END. DRASTIC SCHEDULING CHANGES PROPOSED BY THE SHAREHOLDERS OF CTN, THE INDIVIDUAL CABLE OPERATORS, THREATEN THE NETWORK'S ROLE AS A STATEWIDE OUTLET FOR COMMUNITY SERVICE PROGRAMMING AND VIOLATE THE ORIGINAL PRINCIPLES UPON WHICH CTN WAS FOUNDED.

BASED ON A CONCEPT FIRST PROPOSED BY THE STATE'S OFFICE OF CABLE TELEVISION, THAT OF ESTABLISHING A STATEWIDE INTERCONNECT, THE CABLE TELEVISION NETWORK OF NEW JERSEY (CTN) BEGAN ITS OPERATION IN JANUARY OF 1983 TO FILL A BROADCASTING VOID IN NEW JERSEY. THE NETWORK'S SELF-DESCRIBED GOAL IS

"TO PROVIDE THE STATE OF NEW JERSEY WITH A MUCH NEEDED SYSTEM BY WHICH THE SPECIALIZED EDUCATIONAL, POLITICAL, RELIGIOUS, HEALTH AND HUMAN SERVICES, CULTURAL AND ENTERTAINMENT NEEDS CAN BE FULFILLED VIA A COMMON CHANNEL THROUGHOUT THE STATE FOR THE BENEFIT OF ITS CITIZENS."

THE NETWORK WAS FOUNDED WITH THE PROMISE OF DEVOTING 75% OF ITS SCHEDULE TO COMMUNITY SERVICE PROGRAMS. THE REMAINDER OF THE AVAILABLE TIME WAS TO BE USED FOR REVENUE-PRODUCING PROGRAMS TO SUBSIDIZE THE OPERATION OF THE NETWORK. BUT SINCE 1983, COMMUNITY SERVICE PROGRAMMERS HAVE FACED STEADY REDUCTIONS IN TIME, WITH SIGNIFICANT LOSSES OF HOURS OCCURRING IN THE LAST TWO YEARS. THE DRASTIC CHANGES PROPOSED THIS YEAR WILL LEAVE COMMUNITY SERVICE WITH ONLY 13% OF THE AVAILABLE PROGRAMMING HOURS. THIS IS IN SHARP CONTRAST TO THE 62% HELD IN 1985-86.

CTN BROCHURES BOAST OF THE SUCCESS OF THE NETWORK -- "SUCCESS" DUE IN LARGE PART TO THE ENTHUSIASM, DEDICATION AND TALENTS OF COMMUNITY SERVICE PROGRAMMERS. AGREEMENTS BETWEEN THE PUBLIC SECTOR AND THE NETWORK AND ITS SHAREHOLDERS HAVE, IN THE PAST BEEN SEALED WITH A HANDSHAKE. FACILITIES HAVE BEEN UPGRADED. CURRICULA EXPANDED. PROGRAMMING HAS BEEN CONTINUALLY IMPROVED. SIGNIFICANT INVESTMENTS OF FUNDS AND ENERGY HAVE BEEN MADE. I QUOTE MR. JAMES DEBOLD, EXECUTIVE DIRECTOR OF CTN, IN A CORRESPONDENCE TO ASSISTANT CHANCELLOR GOLDBERG, ABOUT COMMUNITY SERVICE PROGRAMMING.

"THE QUALITY OF THE PROGRAMMING . . . IS EXCELLENT. THE VARIETY AND SCOPE OF THE SUBJECT MATTER IS SUCH THAT THE AWARENESS AND ACCEPTANCE BY THE GENERAL PUBLIC HAS BEEN OVERWHELMING."

CTN IS TRULY ONE-OF-A-KIND -- IT IS A STATEWIDE INTERCONNECTION OF CABLE COMPANIES. A "SHOWCASE" (IN THE LANGUAGE OF THE INDUSTRY), FOR WHAT IS POSSIBLE WHEN PRIVATE AND PUBLIC INTERESTS COMBINE FOR THE BENEFIT OF ALL. BUT THERE IS NO PARTNERSHIP WHEN THE INDIVIDUAL CABLE OPERATORS FAIL TO RECOGNIZE THE SIGNIFICANCE OF CTN AND PROPOSE CHANGES THAT WILL EFFECTIVELY DISSOLVE THE NETWORK.

AS YOU WILL HEAR FROM OTHERS PRESENT TODAY, COLLEGES AND UNIVERSITIES HAVE COME TO RELY ON CTN AS A STATEWIDE TELECOMMUNICATIONS SYSTEM. SUCH A SYSTEM MAKES IT POSSIBLE FOR A GROUP SUCH AS THE NEW JERSEY COUNTY COLLEGE TELECOMMUNICATIONS CONSORTIUM TO COORDINATE THEIR OFFERINGS OF TELEVISED COURSES FOR CREDIT STATEWIDE. MANY INSTITUTIONS HAVE PLANNED WITH THE IDEA THAT

ACCESS TO CTN WAS ASSURED BY PROMISES MADE BY THE NETWORK AND ITS SHAREHOLDERS. BOTH STATE-SUPPORTED AND INDEPENDENT INSTITUTIONS HAVE UPGRADED THEIR FACILITIES IN PARTIAL RESPONSE TO CTN'S REQUEST TO IMPROVE THE TECHNICAL QUALITY OF THE PROGRAMMING THAT ORIGINATES ON THE CAMPUSES.

IT IS IRONIC THAT THE PROPOSED REDUCTION IN STATEWIDE ACCESS TAKES PLACE AS MEMBERS OF THE HIGHER EDUCATION COMMUNITY ARE BECOMING SUCH AVID USERS OF TELECOMMUNICATIONS TECHNOLOGY. FOR EXAMPLE, RECENTLY TWO STATE COLLEGES, RAMAPO COLLEGE OF NEW JERSEY AND WILLIAM PATERSON COLLEGE OF NEW JERSEY, WERE EACH AWARDED MULTI-MILLION DOLLAR CHALLENGE GRANTS THAT INCLUDED BOLD AND CREATIVE USES OF TELECOMMUNICATIONS. IN ADDITION, THE STATE'S COLLEGES AND UNIVERSITIES ARE ACTIVELY PLANNING AND DEVELOPING A STATEWIDE INTERCAMPUS TELECOMMUNICATIONS NETWORK AS A MEANS TO PROMOTE EXCELLENCE.

WE IN HIGHER EDUCATION ARE BECOMING INCREASINGLY DEPENDENT UPON THE OPPORTUNITIES THAT TELECOMMUNICATIONS PROVIDES: GRADUATE LEVEL COURSES, NEEDED TO KEEP HIGH-TECHNOLOGY COMPANIES INTERESTED IN NEW JERSEY, DISTRIBUTED TO ENGINEERS AT THEIR PLACE OF WORK; OFFERINGS FOR SENIOR CITIZENS AND THE HOMEBOUND; AND LIVE BROADCASTS OF PROMINENT SCHOLARS CONDUCTING CLASSES FOR STUDENTS THROUGHOUT THE STATE. OF COURSE, OTHER APPLICATIONS HAVE NOT EVEN BEEN DREAMED OF YET.

ACCESS TO A STATEWIDE CHANNEL IS AN IMPORTANT PART OF OUR EFFORTS TO MAKE HIGHER EDUCATION IN NEW JERSEY THE BEST AND MOST COMPREHENSIVE

THERE IS. I URGE YOU TO SEE TO IT THAT THERE IS A STATEWIDE CHANNEL WITH GUARANTEED ACCESS FOR EDUCATIONAL PROGRAMMING FOR THE BENEFIT OF ALL THE CITIZENS OF NEW JERSEY. SPECIFICALLY, I WOULD HOPE THAT YOU AND THE OFFICE OF CABLE TELEVISION WILL LOOK FOR WAYS TO REMEDY THE CURRENT SITUATION AND GUARANTEE FUTURE ACCESS THROUGH REGULATION AND LEGISLATION. AS YOU WILL HEAR FROM DR. PECK, OUR NEIGHBORS IN NEW YORK HAVE ALREADY TAKEN SUCH STEPS. ALSO, WE SHOULD NOT IGNORE THE IMPACT WE CAN HAVE AT THE MUNICIPAL LEVEL. FRANCHISE AGREEMENTS SHOULD RECEIVE OUR SCRUTINY AND ATTENTION. FINALLY, WE SHOULD ALL STRIVE TO KEEP THIS ISSUE TOP ON THE AGENDA.

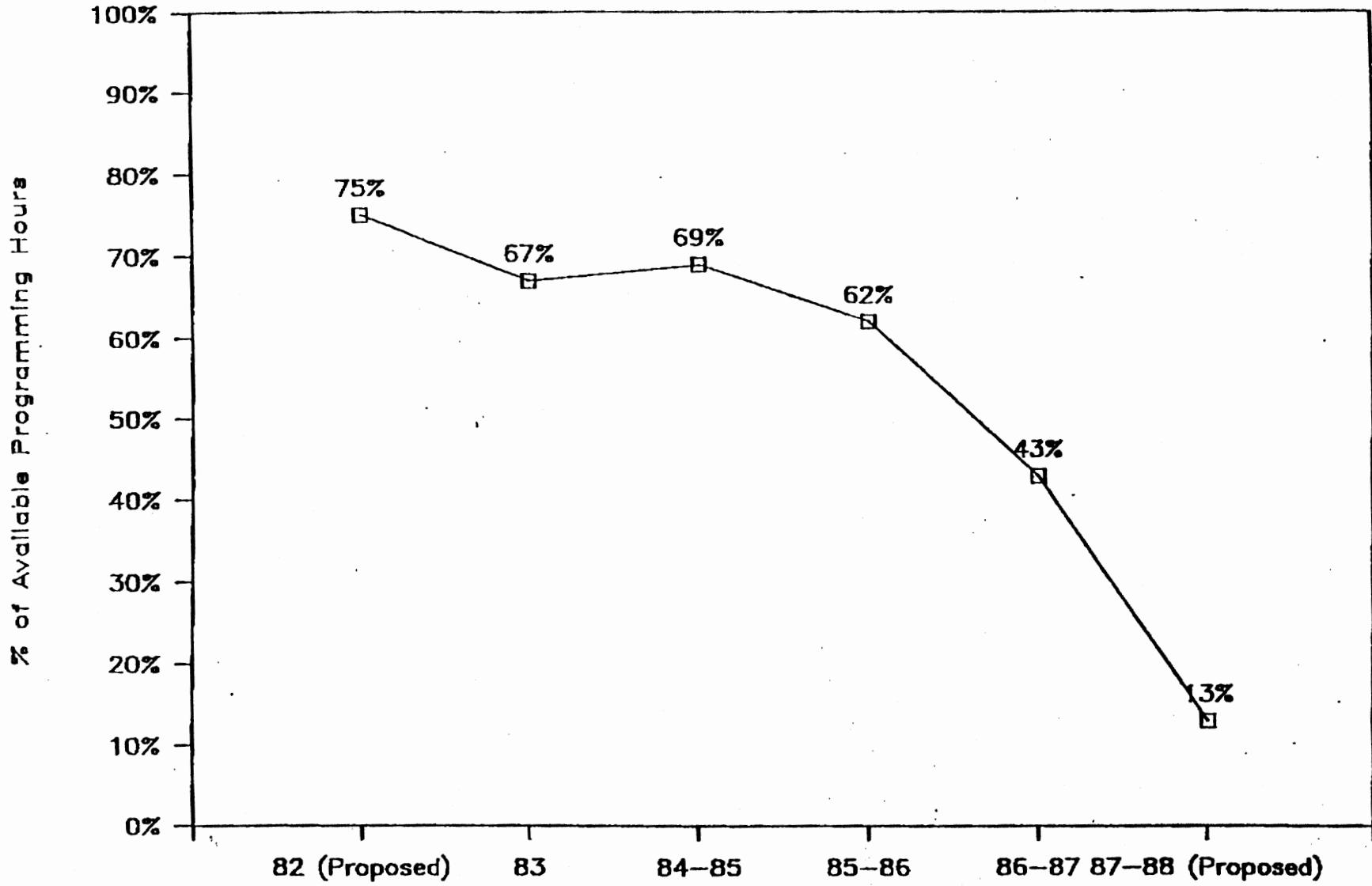
I HAVE WRITTEN TO THE GOVERNOR EXPRESSING MY CONCERNS WITH THE SEEMINGLY ARBITRARY ACTION TAKEN BY CTN'S SHAREHOLDERS AND THE DETRIMENTAL EFFECT IT WILL HAVE ON THE STATE AT-LARGE AND THE HIGHER EDUCATION COMMUNITY IN PARTICULAR. I WILL CONTINUE TO SUPPORT THE AD HOC COALITION THAT HAS BEEN FORMED TO COUNTERACT CURRENT AND FUTURE EFFORTS TO LIMIT STATEWIDE ACCESS. I WILL WRITE SHORTLY TO THE PRESIDENTS OF ALL THE COLLEGES AND UNIVERSITIES IN THE STATE TO URGE THEM TO TAKE SIMILAR ACTION.

HERE TODAY FROM THE HIGHER EDUCATION COMMUNITY ARE COLLEGE PRESIDENTS, ADMINISTRATORS, AND FACULTY FROM A CROSS-SECTION OF THE INSTITUTIONS FOUND HERE IN NEW JERSEY. THEY WOULD APPRECIATE THE OPPORTUNITY TO SHARE WITH YOU THEIR VIEWS ON CTN'S DECISION TO DENY EQUITABLE ACCESS FOR COMMUNITY SERVICE PROGRAMMING.

I THANK YOU FOR YOUR TIME AND ATTENTION TO THIS MATTER OF GREAT IMPORTANCE TO ALL NEW JERSEYANS. I IMPLORER YOU TO TAKE APPROPRIATE ACTION TO ENSURE THE FUTURE AVAILABILITY OF THIS VITAL RESOURCE.

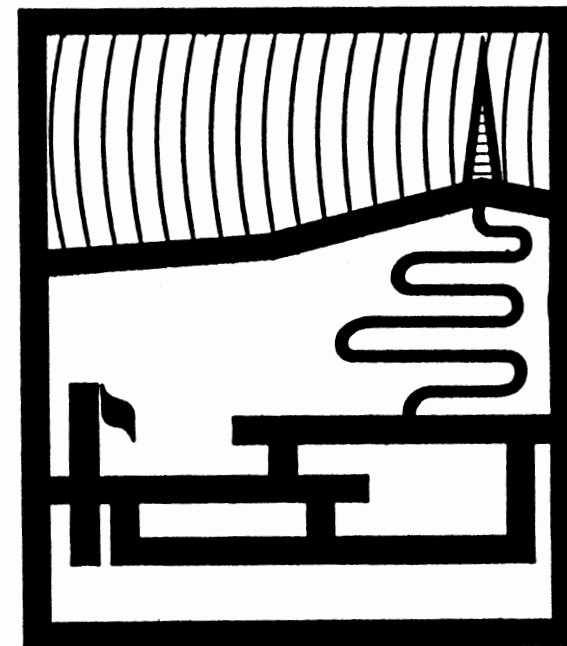
CTN Programming

Community Service Hours



4. Don't be inflexible or arbitrary in your franchise requests. Politics is the "art of compromise." There is likely to be much negotiation before you are finished.
5. Don't attempt to act like an attorney. Just one misplaced word can defeat the entire intent of a particular proviso. Take time out to review the franchiser's offers and counter offers. Get good legal guidance.
6. Don't get caught up in technicalities. You know what the schools need. Seek independent technical advice.
7. Make sure the franchise is clear in every detail. Permit no vague information.

x6



CATV

How can local communities franchise or re-franchise cable TV systems to get maximum benefits for education and for community service?

New Jersey Education Association
180 W. State St. • P.O. Box 1211 • Trenton, New Jersey 08607

EDUCATIONAL CAPABILITY IN LOCAL COMMUNITY ANTENNA TELEVISION SYSTEMS

CATV operators will prosper from their endeavors to serve local communities. When applying for a franchise or a renewal most are willing, to some extent, to provide benefits for education in their systems. Because of the limitless possibilities CATV holds for education, educators in New Jersey should work for the following proposals as their communities deal with CATV franchise or renewal applicants:

1. At least 1 or 2 channels offered by the CATV system (unless more are needed) should be designated for locally originated public service programming and educational use. This should also apply to the renewal of any existing CATV franchise and should be formalized by written agreement.
2. Two-way capability (audio and video in both directions) must be provided in all CATV systems. Two-way capability means that instructional feedback is possible through the television system, which would work like a phone cable. This feature is important for education.
3. Schools and public service groups should be afforded free access time to the cable and free use of studio facilities for public service programming.
4. School and libraries should be interconnected on the local cable system if possible, to ensure multiple reception of learning activities.
5. Local schools and libraries should be wired for cable access free of charge.

6. Clear terms should be drawn in the franchise specifying the length of the franchise renewal policies to be followed. These policies should ensure fair competition for other CATV companies when the length of the existing franchise has terminated.
7. New franchise contracts should be limited to 15 years maximum. Renewal should be left up to the municipality, but should not exceed 10 years. Lifetime CATV operations, which prohibit periodic evaluation of the franchiser's service or of shifting community needs, should be avoided.

WHAT CAN EDUCATORS DO ABOUT CABLE TV?

In order to achieve educational capability in local community antenna television systems in keeping with NJEA's CATV Guidelines, it may be necessary for local educators to organize and take initiative in dealing with municipal officials for new or renewal franchises. The following suggestions may help in these endeavors.

DO's

1. Seek the establishment of a local ordinance in advance by which the municipality sets minimum standards for CATV franchise applicants.
2. Make direct personal contact with municipal officials and municipal attorney. Discuss the matter individually with as many governing board members as possible.
3. Make direct contact with the CATV operator who is or may be a franchise applicant.

4. Arrange for the "education community" (i.e. teacher association, PTA, administrators groups, and school board) to present a "united front" in any public hearings. Get formal action and cooperation from all groups.
5. Solicit the support of influential individuals both in and outside the "education community."
6. Ensure that your CATV franchise requests receive good local press coverage.
7. Identify local educators who will be sure to remain as knowledgeable as possible about the "state of the art" in CATV and generously share this information.
8. Seek a seat on the citizens' advisory group to watchdog and review regularly the operation of the local CATV system.
9. Ask for help from the NJEA and NEA when needed.

DON'Ts

1. Don't make unreasonable demands on the CATV franchise applicant.
2. Don't ask that a percentage of the franchise fee be given to schools. You may pay for it later with poor service. By an initial "payment" to local schools, the cable company may feel that it need not worry about its performance for them in the future.
3. Don't assume that all town officials will automatically espouse your cause -- an intensive "selling job" is imperative.



The New Jersey Council of Churches

116 North Oraton Parkway • East Orange, New Jersey 07017 • (201) 675-8600

176 West State Street • Trenton, New Jersey 08608 • (609) 396-9546

Legislators,
State of New Jersey,
Assembly Transportation, Communication and High Technology Committee,
State House Annex, Trenton, New Jersey
March 11, 1987

I am the Rev. Russell C. Block, and I speak on behalf of the Radio & Television Commission of the New Jersey Council of Churches, which represents seventeen Protestant denominations in our state, including Presbyterians, Methodists, Baptists, Lutherans, Episcopaleans and others.

We speak concerning the drastic cutbacks in CTN, the Cable Television Network of New Jersey, proposed by its owners and operators, the cable-tv systems of the state.

We, with Roman Catholics, Jews and other community service programmers, were excited by and appreciative of the opportunity, presented to us by CTN in 1982, to work with the staff of CTN in planning for CTN's beginning and in supplying programming to enable CTN to fill its broadcast schedule and to serve our constituents around the state with religious and public affairs programming.

We express appreciation to the staff of CTN, particularly its Executive Director, Mr. Jim DeBolt, for working with us and others in placing our programs on CTN and in developing, over the past year, an occasional tri-faith (Protestant, Jewish, Roman Catholic) access time hour-long, live, call-in discussion program entitled "At Issue -Live," which has dealt with issues of concern to New Jersey's religious community.

In the words of CTN's past President, Frank Scarpa, and its past Vice President of Programming, Barbara B. Silkworth, "The Cable Television Network of New Jersey, Inc., serves over one million homes and is the first statewide network of its kind in the nation. The idea for this network came from an original concept by John Cleary, Director, Office of Cable Television and was further developed by the New Jersey Cable Television Association and has become a service of the NJ Cable Television Industry.

In developing this network a separate, closed corporation was formed by the cable operators in linking together its cable companies to make up CTN.

The advantages of establishing such a network are obvious in a state

African Methodist Episcopal Church, New Jersey Conference • African Methodist Episcopal Zion Church, New Jersey Conference • American Baptist Churches of New Jersey • Christian Church, Northeastern Area Association • Christian Methodist Episcopal Church, Seventh Episcopal District • Episcopal Church, Diocese of Newark, Diocese of New Jersey • General Baptist Convention of New Jersey • New Jersey Synod • Lutheran Church in America • Presbyterian Church, U.S.A., Synod of the Northeast • Reformed Church in America, Synod of the Mid-Atlantics • Religious Society of Friends, New York Yearly Meeting • The Salvation Army • Union American Methodist Episcopal Church • United Church of Christ, Central Atlantic Conference • United Methodist Church, New Jersey Area

10x

that is uniquely lacking in any local VHF commercial television outlets. The need in New Jersey for programs with specialized educational, political, cultural, religious and entertainment values is being fulfilled via CTN for the benefit of the citizens of the State of New Jersey."

In response to the possibilities presented by CTN several Protestant groups in the state, including the NJCC, raised funds and hired staff to produce programs for CTN. The NJCC and its member denominations have also, from the beginning, publicized CTN throughout the state, listed its programming, encouraged citizens to watch it, and in essence, along with others, did their best to popularize CTN and to build its audience. The NJCC, for example, regularly sends out information about programming on CTN to more than 3500 churches and religious leaders around the state. Other member denominations do likewise.

The NJCC, representing the Protestants in the State, have, since January, 1983, when CTN began broadcasting, have presented and produced more than 20 different series of weekly, monthly or occasional programs: including programs produced by a variety of our member denominations and churches, programs produced by ethnic and racial minorities such as blacks, hispanics, Koreans and others, and programs for children.

While it is difficult to determine exactly the viewership of cable-tv programs, it is obvious from the extensive mail, telephone calls and personal remarks, that the audience for our programs is significant and increasing. And, we are frequently approached by groups with more programs than we have time to air.

CTN is the only way to reach our statewide audience. It is impossible, financially or otherwise, to negotiate with every cable system for public access time and to shuttle tapes around the state.

In view of the cutbacks proposed by CTN it is apparent, in conversation with our Protestant program producers and suppliers, that some of those programs, if there is no air time for them on CTN, will cease to exist.

Again, while we are appreciative to CTN for the opportunities it presents to us, we were dismayed and shocked by the suddenness and abruptness by which the proposed cutbacks were announced to us.

CTN leaders have told us that there is no intention of taking CTN completely off the air; but reading the "fine print" it is obvious to us that the cable-tv systems in the state want CTN's evening and weekend hours for more lucrative programming; leaving us and the other community service programmers and suppliers with as little time as possible during the daytime hours.

In view of the way we and other community service programmers and suppliers have been treated recently by CTN it is difficult to have complete confidence in CTN when CTN says they have no intention of taking CTN completely off the air in the future.

3.

The most tragic aspects of all this are as follows:

Firstly, when CTN was conceived and given birth CTN and those of us who participated from the beginning had a joint vision. Again I quote from the past President and past Vice President of Programming - "The advantages of establishing such a network are obvious in a state that is uniquely lacking in any local VHF commercial television outlets. The need in New Jersey for programs with specialized educational, political, cultural, religious and entertainment values is being fulfilled via CTN for the benefit of the citizens of the State of New Jersey."

We ask CTN - What has happened to that vision?

Secondly, New Jersey has had a long history of neglect concerning statewide television programming for its citizens. Our State is already badly divided, and we need every possible means to bring all our citizens closer together in one statewide community.

WOR-Channel 9, while now based in Secaucus, hardly fulfills the need for a statewide channel; and if WOR is sold, its new owners may be free to cutback or eliminate whatever New Jersey coverage WOR now has.

The New Jersey Network has also, according to an article by Reginald Stuart, in the New York Times of March 2, 1987, in an article entitled "Cable Systems Drop Or Shift PBS Stations," stated that "The New Jersey Network has also been dropped by several cable operators insidethe state, according to a cable and community relations official of the network, Tracey Henry."

It is also no secret that the future of NJN is questionable.

CTN could, if restored to its original broadcast schedule, daytime, evening and weekend, could be New Jersey's best hope for a statewide television presence, recapturing its original vision and helping to bring our citizens into more of a statewide community.

I thank you for your attention.

12x



Testimony Before Committee on Transportation, Communications
and High Technology
March 11, 1987

I come before you today wearing many hats - chairman, CTN Religious Sub-Committee; scheduler of Jewish programs; cable subscriber; and viewer.

CTN was a great idea and a great boon to us over the last few years. I have been asked on several occasions to speak at national conferences on our religious programming in the State of New Jersey on CTN. Others view us as a model that one day they hope to emulate. For us to take a step backward, at this time, would clearly be a step in the wrong direction.

A step back virtually drives us "over the edge." The fact is that non-commercial programming time has steadily been eroded over the years. We have quietly accepted these cutbacks and agonized in meetings of sub-committee chairmen as to how to accomplish them as equitably and painlessly as possible. We began with 75% non-commercial time. As little as 14% is now being considered. This cannot be accomplished painlessly. Despite protestations to the contrary, CTN is proposing to change the very essence and character of the network.

The proposed changes come at a time when our religious programming has grown in both quality and quantity. More and more people are watching and indicating their appreciation through letters and phone calls to the offices of our three faiths. Additional denominations clamor for time, and we would love to accommodate them. Recently, with the considerable help of the Network and Storer Cable (Hightstown), we have produced three live panel discussion/phone-in shows on topics of utmost relevance to New Jersey citizens (church-state relations, violence directed at religious institutions, medical technology and religion). They do much to increase intergroup understanding, and we would hope to do more such programs in the near future.

CTN is the only way for us to reach our statewide audience. It is not feasible for us to negotiate with every cable company for public access time and then shuttle the tapes around the state. We have neither the human nor financial resources. Home shopping channels and other commercial programmers have these resources, and in many cases, are already over-represented on our cable boxes. I know that I sometimes see four shopping channels on my set. If channel space is an issue, cable operators should take note of the newspaper financial pages which predict impending consolidation in the home shopping industry. Besides, community service programming is currently much more limited and much more vital to the people of New Jersey.

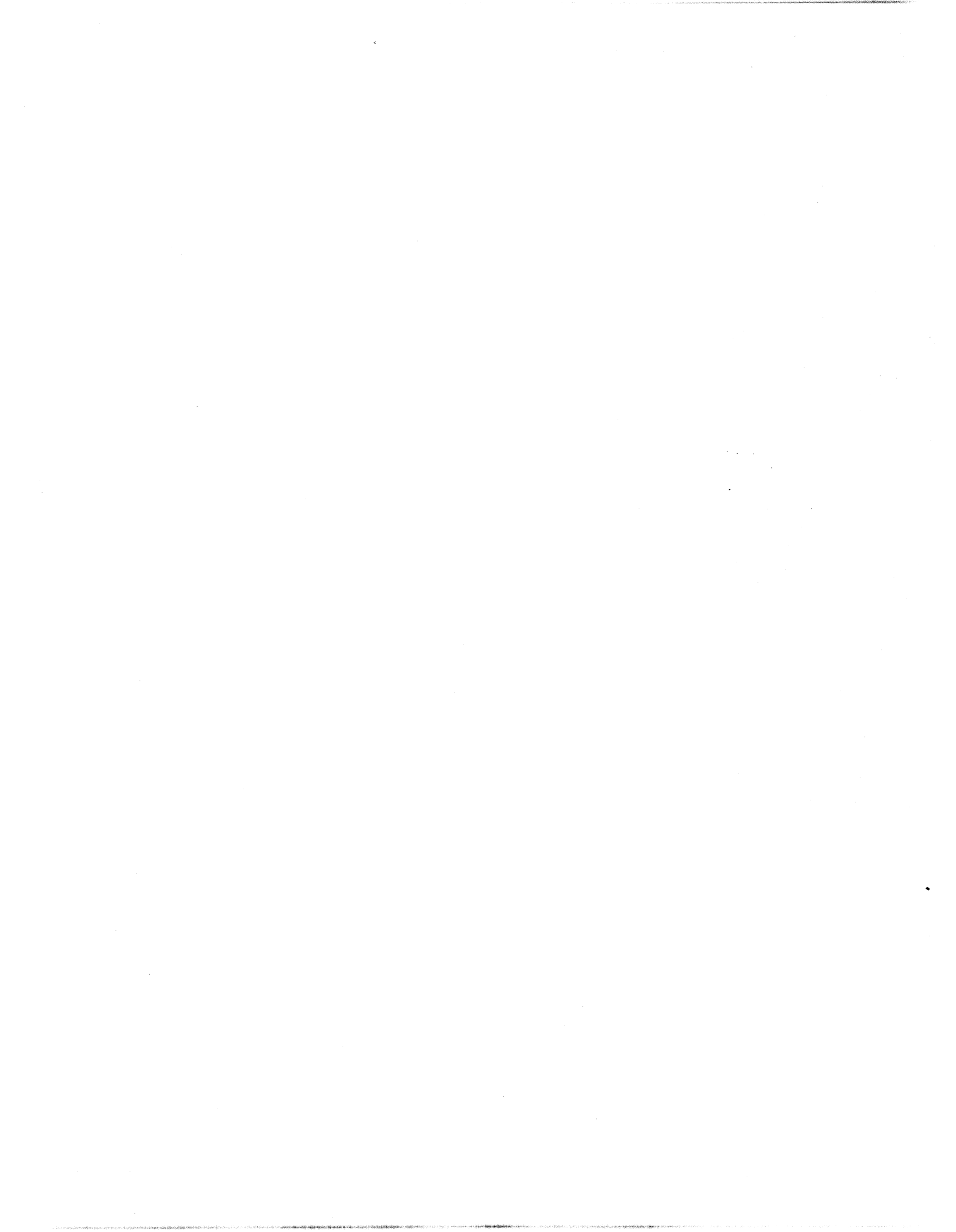
CTN is a unique service. We value it. We cannot replace it. I, and the members of my subcommittee, encourage the members of the Legislature to join us in urging CTN to reconsider its decision and to hold programming allotments at current levels.

Thank you for your time and consideration of this important issue.

Richard Jacobs, Chairman
CTN Religious Subcommittee

95 Princess Anne Drive
Freehold, NJ 07728
(201)577-9798

Council of Jewish Federations
730 Broadway
New York, NY 10003
(212)475-5000



Montage

marketing & production, inc.

One Greentree Centre, Suite 203, Marilton, N.J. 08053 (609) 983-8060

March 9, 1987

AS A CONSUMER HELD CAPTIVE BY A FRANCHISING ARRANGEMENT.....
AS A TAX-PAYER WHO IS PROUD TO BE A CITIZEN OF NEW JERSEY.....
AS PRESIDENT OF MONTAGE, A NEW JERSEY BUSINESS.....

I want to express my displeasure and total frustration at the cable system owners in New Jersey.

Five years ago, the New Jersey Cable Association established the first statewide cable interconnecting network in the United States. This was only fitting since New Jersey citizens often feel split between New York and Philadelphia. CTN (The Cable Television Network of New Jersey) was the only medium available to the State's business and corporate concerns. CTN offered them both a programming and a commercial advertising outlet which was directed to New Jersey only (which comprises the third largest ADI when removed from the NY and Phila markets).

CTN was a 24 hour network carrying governmental, religious, educational, health & human services and cultural programming for 18 hours a day. The remaining time (6 pm to 12) was for commercial programs.

Montage created and aired many programs on CTN which were designed for New Jerseyans:

- * COLLEGE BOUND -- the award winning series to assist youth in their college search.
- * LIVING LONGER AND LOVING IT -- series aimed at our 45+ audience. (NJ has the second highest senior population after Florida).
- * NEW JERSEY THE GOOD LIFE -- A magazine format series where many of you have appeared as a guest. *Travel & Travel*
- * SPECIALS -- on AIDS for the NJ Department of Health. Programs for DEP. A program on the Latchkey children of NJ. A series for 4-6th grade children on saying no to drugs.

All these programs and the programming of many talented NJ producers are being taken away so that cable companies can use the channel for more: "shopping network"; "Movie channels"; or "pay-per-view channels".

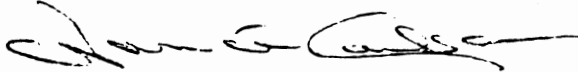
The stockholders (cable owners) were planning to cut CTN to a Monday-Friday, 8:00 am to 5:00 pm schedule. This would make it worthless in reaching most of New Jersey's citizens who are evening prime time viewers.

This change was scheduled for March 15, but because of pressure and pending legal action from colleges, hospitals, clergy and some political leadership, the cable operators are delaying the decision until June.

As a proud New Jersey Citizen who wants the State to have a positive image of itself, and as a young corporation doing business throughout the entire State; I ask for your help. I ask that you investigate and help give CTN back to the people of New Jersey.

As a consumer, I have no freedom of choice in which cable company I must take -- I would like some programming of my choice from the cable operators who now want a franchise AND programming dictatorship.

kindest Regards,



Nance Carlson
President

TESTIMONY BEFORE THE ASSEMBLY COMMITTEE
ON TRANSPORTATION, COMMUNICATION AND HIGH TECHNOLOGY
REGARDING THE PROPOSED REDUCTION IN COMMUNITY SERVICE
PROGRAMMING ON THE CABLE TELEVISION NETWORK OF NEW JERSEY (CTN)

March 11, 1987

Peter Wiesner, Coordinator of Academic Television
Rutgers, the State University of New Jersey
Office of Television and Radio
New Brunswick, New Jersey



It is our understanding that the concept for a statewide cable interconnect, as originally proposed in the late 1970's by John Cleary and Michael Doyle of the Office of Cable Television, was for a channel devoted ^{only} chiefly to public service and educational programming. This statewide interconnect was to provide unfashionable but essential programming, free from commercial constraints and popular ratings.

Rutgers University embraced the concept for a statewide cable channel from the time it was first proposed by the Office of Cable Television. This concept meant that Rutgers could communicate directly with the people of New Jersey. And to that end, the university committed its resources to produce the Rutgers University Forum and other public affairs and educational programs for statewide distribution.

We were dismayed when, in the late 1970's the New Jersey Cable Television Association ^{successfully} fought the concept of a publicly controlled interconnect to be constructed through matching public funds and a tax on cable operators. Still, the concept for the statewide cable controlled channel was better than none. For that reason, Rutgers joined other public institutions in supporting the creation of CTN , the Cable Television Network, under the auspices of the cable industry. CTN began in 1983 with the understanding that its primary purpose was to provide access time for educational and municipal programming. CTN was to be a statewide communication resource, linking public service agencies with the people of New Jersey. It was to meet the need for

statewide public service programming not being met by the broadcast stations in the New York and Philadelphia areas.

CTN's commitment to public service programming was emphasized during initial meetings attended by representatives from Rutgers and other colleges and universities. But even then there was cause for concern. The community service time block was set at 75 percent. We were told that the remaining 25 percent would be allocated to revenue producing programming, thereby helping to defray the costs of the network. But our understanding was that CTN's primary commitment remained public service and educational programming.

In fact, the educational community's dedication to providing CTN with high-quality educational, public affairs and cultural programming allowed the system to operate on a 24-hour basis, making the commercial time even more attractive. Then began the erosion of CTN's commitment to public service programming. Over time, the percentage of public service programming was gradually cut back. More and more prime time was allocated for commercial programs while public source programs were given the least desirable time slots. By the ^{reduction} ~~elimination~~ of evening, nighttime and weekend time slots, CTN's public service programs became inaccessible to most viewers, especially job holders.

The original mission of the statewide interconnect was thus pushed aside in favor of the "bottom line." Some cable operators justified this by arguing that there is a greater demand for basic and pay services than for the programming being provided by

New Jersey's educational institutions, governmental agencies, churches, and other public service groups.

By undermining CTN, the cable operators have backed away from original commitment to a statewide cable channel primarily devoted to public service programming. They claim that CTN is potentially not as popular as other basic and pay services. The fact of the matter is that CTN was never intended to compete as entertainment in the marketplace. CTN's purpose was to enhance New Jersey as a political and cultural entity through public service programming. It was to be a narrowcast service, aimed at special audiences and to fulfill the obligation of the cable operators to their state and localities. By forcing CTN to compete as entertainment distorts the concept of educational and municipal access.

The current proposal by the cable industry to restrict CTN to daytime hours for both public service and commercial programming is a virtual death sentence to the public service concept. There will not be sufficient time to schedule Rutgers outreach and educational programming as well as those produced by other colleges and public service agencies.

In the short run, the reduction of hours on CTN will hamper Rutgers outreach effort. Rutgers will no longer be able to provide programming accessible to all parts of New Jersey.

In the long run, the demise of CTN will restrict the development of a statewide telecommunication system, ~~linking cable~~
~~viewers with the state, colleges and universities.~~ In such a

system, CTN would provide the link between post-secondary institutions and cable viewers ~~such that~~^{that} would enable Rutgers and other educational institutions to communicate issues vital to the well-being of the State, such as toxic waste, high technology, economic development, unemployment, alcohol, and drug abuse.

We feel strongly that CTN is a public resource. As a statewide narrowcast channel, it contributes to the political and cultural cohesion of New Jersey, a mission that has been ill served by television broadcasters. CTN should schedule public service programs at times other people are likely to watch television---evenings, nights, weekends.

For Rutgers, the ability to communicate statewide to all the people of New Jersey has always been part of our institutions mission. THE RUTGERS UNIVERSITY FORUM, a weekly public affairs program, is now in its 40th year. In our view, the dismemberment of CTN is not in the interest of the people of New Jersey.

We, therefore, urge the continuation of CTN's original mandate to provide daytime, evening, and weekend air time for public service programming.

###

JX