



# THE LEAGUE OF WOMEN VOTERS OF HAWAII

Cable Television Division  
Department of Commerce and Consumer Affairs  
PO Box 541, Honolulu, Hawaii 96809

September 29, 2009

Testimony on the Application for Cable Franchise Renewal by  
Time Warner Entertainment Company, L.P., through its  
Hawai'i division Oceanic Time Warner Cable

Dear Mr. Sonobe,

The League of Women Voters of Hawaii believes that the provision that the cable companies share some of the proceeds from their business of providing cable service to the residents of Hawaii with the community via their funding of our public access stations and providing television channels for our use has been the best deal possible for all concerned. The cable companies get to use the public airwaves and rights of way in their business ventures, and in exchange, they pay a fee which goes to our public access stations which administers the PEG program and provides the facilities, the equipment, the knowhow, and the means to help individuals and organizations produce and air their productions sharing their knowledge, their talents, their ideas and even their phantasies with members of the public. Besides being consumers of information and entertainment, they now have the opportunity to be the providers also. It enables our students to develop an interest in the technologies available to them in the communications field, but which is more important, the need for good communication skills, speaking and writing, become apparent to them as they develop their technical skills.

We thank and applaud Oceanic for their cooperation in allowing 'Olelo to use the funding from the fees to enhance its capabilities for giving voice to our citizens thus far, but view with great concern, their attempts to limit the benefits in the new franchise agreement.

The League of Women Voter's involvement with 'Olelo goes way back when Oceanic allowed us to produce weekly shows using our own crew who learned the craft by hands-on experimenting when the simple equipment allowed such learning. We then helped the 'Olelo staff begin the "Candidates In Focus" program and even helped the candidates prepare for the taping.

In recent years, we have used 'Olelo's services and facilities for programs aimed at providing information on current issues. Many of these are focused on elections and election campaigns and take place during the pre-election months. 'Olelo's theme during that season centers around providing candidates the means to communicate with their constituents, the members of the public, to voice their positions on different ballot issues, non-profit organizations to present forums and debates on these issues, and the members of the public a source of good information to help them make wise choices when they go to the polling booths.

Through the years, we have been able to share debates and conferences and forums on different issues with members of the public beyond those who attend the live events because of 'Olelo and the other access stations. In 2004 we developed a program which included national experts on the importance of judicial independence with the help of the major organizations in our legal community here which was shown repeatedly on 'Olelo and the other access stations. In 2005, together with the Hawaii Institute for Public Affairs, we presented a debate on the Akaka Bill which was viewed widely and repeatedly by members of the public. In 2008 we were able to bring a debate on the highly controversial heavy rail as the solution to alleviate our traffic problems which included a Q&A session and have it aired on 'Olelo's channels. These and other similar programs would only have been one-day events with limited audiences except for the availability of the access stations.

The five permanent channels and the temporary sixth channel are not sufficient to meet the present demands of the public for air time. With growing interest in the services 'Olelo has to offer, the demand for more channels will only grow even if video on demand and other innovations make viewing selected programs at one's convenience possible. Besides, we have not taken advantage of all of the opportunities offered by PEG access programming. One glaring unmet need is for more transparency for legislative proceedings. With only limited cable coverage at present, most of our citizens can only view a small part of the process in action. What we need is the gavel-to-gavel coverage that we have for the Honolulu City Council, which would necessitate at least two more stations. It may not be financially feasible for the Legislature to put more funds into the cablecasting of more of the proceedings at this moment, but we should not be accepting a cap on the number of

channels which would prevent the expansion of that program. Another immediate possibility would be the development of educational programs by DOE to be aired to help our students explore new ideas, keep abreast of current events and issues, or review certain writing and math skills during the days when teachers are on furlough. It would help caregivers and the special classes set up by nonprofit organizations to fill the need for childcare.

Remember, the original suggestion was for 10% of all the channels available. Five channels is just a small percentage of the number the public would be entitled to under the original understanding. As it is, the six channels (one temporary) available today are not sufficient to meet the demand. And the day will come soon, when we will need a dozen or more stations. The cap should remain the original 10% with the channels being allocated to 'Olelo as the need arises. The fact that Oceanic enjoys the status of being a monopoly should not lead to reduced benefits for the public. One of DCCA's responsibilities should be to make sure that the lack of competition for Oceanic does not lead to lack of enhancement of benefits to the public commensurate with the growth of Oceanic's business based on improved technology, newer innovations and population growth.

We concur completely with the suggested need for two statewide channels over and above the present channels. With Oceanic enjoying a monopoly on cable service in this state, the request for statewide channels is reasonable and fair. When the League of Women Voters, in partnership with the Hawaii Institute for Public Affairs, and in part with the William S. Richardson School of Law, produced a series of three events to bring information about constitutional conventions to aid voters in deciding whether to vote to hold a ConCon or not, all of the information was meant for voters throughout the state. In order to disseminate all of this information, we needed to get our local Leagues to contact their access stations to schedule tapes of these events for airing. Clearly, this was a state issue, and these events should have been aired on statewide channels. Our neighbor island voters deserve to get the same information at the same time.

Miss Lopez mentioned in an article in the Honolulu Advertiser, the benefits of interisland connectivity. League has been grappling with improving access to government for our neighbor island citizens, and the ability for someone to go to an access station site and be connected to a meeting of the Board of Education, or a committee hearing at the legislature and actually be able to testify via video teleconferencing certainly opens the door to government access for many who can now only get the information from the media, or through the selected airings on the access station channels. This possibility only brings our communities separated by water together as one whole community,

Finally, we must congratulate those who have directed the growth of 'Olelo from the first few years when it occupied the second floor of the Sony building nearby with its rickety floors to what it is today, fully equipped with more sophisticated equipment and offering the myriad of services that it does. It has increased the number of community media centers to respond to the needs of people, especially students, for centers in their own neighborhoods to make them more accessible. It has broadened its mission of enabling people and groups to make use of its facilities, equipment, and its training program to produce shows – speeches, forums, entertainment, hobbies, travelogues, etc, to share with the public through 'Olelo's channels. From training people to acquire the technical skills to produce shows, to setting up programs like the Mini Studio which allows for taping a thirty-minute program with a minimum of training, for setting up Executive Productions which make possible ambitious undertakings knowing that the viewership will be large enough to warrant the effort, Capitol Commentary which brings legislative issues to the public, the video-on-demand service, programs like Candidates in Focus which allows candidates for public office to tape their messages to voters to solicit their support, and offering so much more to empower people, 'Olelo has become an indispensable part of our community. The League of Women Voters can honestly say that most of what we have achieved have been done with assistance from 'Olelo or has been enhanced by access to its channels and its services.

As you consider the terms of Oceanic Time Warner Cable's franchise renewal, please remember that

the state, and therefore its people, are sharing what belongs to all of us, the airwaves and the rights of way without which Oceanic could not do business, and that the fees it would pay the public must be fair, not only to Oceanic but to us, the public. The 5% of all revenues which is allowable under the terms of the original contract should be the fee for the franchise. We hope that the agreement you sign, will not force 'Olelo to retrench on its programs and services to members of the public, but will allow it to keep up with the rapid growth in technology and the many innovations that will expand the field of communications so that we, the public, will not be left behind.

Sincerely,

Piilani Kaopuiki, President  
League of Women Voters of Honolulu

Jean Y. Aoki  
Past Legislative Liaison  
League of Women Voters of Hawaii