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# Unfair Cable TV Prospects

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Acceding to pressure from cable television operators and borough politicians, New York City signed contracts on July 19 for cable TV franchises that condemn the outer boroughs to second-rate cable service until 1998. As agreed upon in negotiations between cable companies and a team of city negotiators, these systems will effectively exclude poorer residents, are less advanced technically and offer a narrower range of choices than systems in many other recently franchised cities, and award cable operators virtual monopoly control over programming.

The last hope for equitable service rests with the New York State Commission on Cable Television, which will hold hearings tomorrow on the proposed franchise agreements.

Four years of franchise negotiations produced contracts for cable TV systems of at least 70 channels for Brooklyn, Queens, Staten Island and the Bronx. Manhattan's obsolete systems will eventually be upgraded to these levels. A basic service package of 36 channels will generally cost \$12.95 a month. Community groups and local governments may program up to a dozen channels. Cable operators have reserved for themselves as many as 30 additional channels for a variety of services for which users must pay additional fees: mostly movies and sports, and two-way consumer services in banking, shopping, home security, information and more.

At the basic rate of \$150 a year plus charges for installation, deposit and two-way services, cable will be beyond the budgets of half the city's families. The contracts do call for a so-called "universal" tier of eight channels at \$2 per month. But this has so little value it seems designed to fail. No local broadcast stations are included and the operator may offer computerized textual material rather than video signals on four of the eight channels. By contrast, Boston residents can get 25 channels with local stations for \$2 a month.

The marketability of New York's "universal" package may become a moot issue because of a loophole that may leave many low-income areas without cable service. Under "extraordinary circumstances," cable operators will be allowed to avoid or delay wiring neighborhoods not deemed "economically viable." Thus, the city has signed cable contracts that leave its poor, unemployed and aged electronically redlined.

New York's cable contracts also fail on the deeper level of control over programming. In this, the city is no different from other communities around the country where cable operators use their control over channels to monopolize programming.

To an extent little realized by the public, the diversity, quality and price of programs and services on cable depend on the ability of suppliers of entertainment and information to lease channels on firm and fair terms. New York's contracts allow cable operators to negotiate all rates and terms of leased access. There is no oversight of these negotiations, no public appeal and no standard of free and fair competition.

The negotiations, however, are one-sided. Independent operators have no power to gain access, and the cable operator has no incentive to grant access to the independent, especially if the independent threatens to draw viewers away from programs in which the cable operator holds a financial interest. Thus, business users of cable — banks, publishers and retailers offering consumer services, for example — cannot compete fairly with cable operators who may offer the same services. Operator control of access also may hurt the performing arts, which — lacking commercially important access to pay-TV channels — will lose a potential source of money.

There is still a slight chance that New York will get the fair and equitable cable system it needs. The State Commission on Cable Television should make certification of these contracts contingent upon workable controls over monopolization of programming and redlining of poor neighborhoods. Firm rates for leased access must be published.

Unfortunately, the state cannot compel the city to enforce its own cable agreements. So far, the city has neither disclosed plans for regulation and development of cable, nor established a citizen's advisory and oversight board. The city also has refused to grant citizens legal standing to seek franchise enforcement through the courts. Yet, only constant vigilance by both the city and the public will prevent cable operator abuses. By failing to understand and promote cable communications, the city denies its obligations in an area as vital to its people as transportation energy and the environment.

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