

Testimony of

John King

President and CEO of Vermont Public Television
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May 12, 2004

Testimony by John King, President and CEO of Vermont Public Television
Before the U.S. Senate Committee on the Judiciary Hearing on The Satellite Home Viewer Extension Act
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My name is John King. I am president and CEO of Vermont Public Television, the statewide PBS network.

Thank you, Mr. Chairman, for inviting me to testify about the Satellite Home Viewer Extension Act. Thank you and the members of the Committee for your work on behalf of satellite viewers. Thank you, Senator Leahy, for all you have done to give satellite viewers access to their local channels. This has been extremely important for Vermont.

I will testify to the importance of local-into-local satellite carriage for educating, informing and connecting viewers, especially in rural states like Vermont.

I will ask for help from this Committee so that Vermont stations will be available by satellite in Vermont's two southern counties.

Vermont is one of the smallest and most rural states. Many of our 600,000 people live in villages or in homes scattered through the countryside.

Vermont Public Television, like most of the commercial channels, has headquarters in our largest city, Burlington, in the northwest of the state.

Vermont Public Television is proud to be a PBS station, broadcasting national PBS programming. What really makes us Vermont Public Television is the local programming we produce -- about Vermont's public affairs, culture, nature and history. We're more than a TV station. In our programming and community outreach, we're a unifying force, helping Vermonters understand one another and fostering participation in civic life.

Although Vermont Public Television operates four transmitters, our state's mountainous terrain makes over-the-air reception difficult, particularly in the south of the state.

Cable is available in cities and larger towns, but there are miles of country roads that cable companies cannot afford to wire.

In Vermont, there are many daily and weekly newspapers but no single statewide newspaper. Public broadcasting and the commercial TV stations are the only statewide media, and access by satellite is crucial for all Vermonters.

When satellite service began, Vermonters embraced it. The one drawback was the absence of local channels.

For years, viewers could see only the national affiliates. For public television, they could subscribe to the PBS National Service, but overwhelmingly, they told us they wanted Vermont Public Television.

There was great excitement two years ago when DISH Network began offering local channels. Satellite subscriptions spiked, and now, more than 30% of households in the Burlington DMA have satellite. Thank you, Mr. Ergen, for that service.

Viewers were delighted. One woman from a small town wrote, "We are happy to say that as of today, we now have truly 'local' Vermont TV channels through DISH Network ...We have felt disconnected and alienated from the state of Vermont as far as the news is concerned. Once we heard that local Vermont TV, including Vermont Public Television, was available in our county, we immediately signed up!"

One of the best features of SHVIA is the "carry one, carry all" provision. Vermont Public Television is on DISH Network's main satellite, along with the four commercial affiliates, as part of the local channel package.

There is a problem in some parts of the country with local PBS stations being carried by DISH Network only on the "wing" satellite. Satellite subscribers must install a second dish in order to see their PBS station. This splitting of local channels seems to me to discriminate against subscribers who want access to the public television stations that are an essential part of their community. I encourage the Committee to provide that all local channels be offered as a group on the main satellite, within a year of the extension of SHVIA. We believe the language in the House draft bill is a reasonable approach.

Unfortunately, the good news in 2002 about local-into-local service did not apply statewide. Because local service is determined by Nielsen DMA, Vermont's two southern counties are excluded, as they lie outside the Burlington DMA. Windham County, in the southeast corner, is assigned to the Boston DMA, and Bennington County, in the southeast corner, to the Albany DMA.

Would-be viewers in those counties were surprised to find they couldn't get Vermont channels, only Boston and Albany stations. As good as those stations are, and as interesting as the news from New York and Massachusetts may be, Vermonters wanted news, weather, local programming and advertising from Vermont.

These requests are typical: "Please help me get Vermont Public Television on DISH Network. I work nights for someone who has VPT, and I can't believe I can't get it." And "Can you be of any help in getting our beloved VPT crystal clear on our dish?"

When we send out direct mail solicitations for contributions, we often get responses from southern Vermonters saying they won't support us because we're not available on satellite. Some are disgruntled with us for not "going on the satellite."

We have talked with hundreds of viewers who ask "What can I do to get you?" We have encouraged them to contact their satellite company and our members of Congress. One activist from Windham County worked with her state legislators to get a joint resolution passed urging the congressional delegation to help make Vermont channels available. See Appendix B.

Vermont Public Television and thousands of subscribers eagerly await DirecTV's local-into-local service this year. But southern Vermonters will be left out again, unless you can find a way to help them.

Last month, DISH Network took a positive step toward bringing southern Vermonters into the community of Vermont viewers. Thanks to a special agreement with PBS, DISH Network began offering Vermont Public Television as an "a la carte channel."

This is a good first step, but we think viewers would prefer access to Vermont Public Television as part of a local channel package.

Vermont Public Television -- and the commercial TV stations -- are a unifying force in our rural state, giving Vermonters information to help them be more knowledgeable, active citizens of their state community.

We look forward to the day when all Vermont satellite viewers can see our programs about state government. The Speaker of the Vermont House and the chair of the Vermont Senate's Judiciary Committee are both from southern Vermont and we think their constituents should have been able to see their recent appearances on our air. We'd like

all Vermonters to be able to participate in the regular call-in shows we do with the governor or the members of our congressional delegation.

In an election year, statewide TV is essential. I'd like Vermont Public Television's candidate debates and public affairs programs, and the commercial stations' news and political ads, to reach all Vermonters.

In just a few years, satellite service has gone from a luxury to an affordable, reliable source of information and entertainment, one that is especially important in rural areas.

Vermonters support Vermont Public Television with their contributions and their tax dollars, and it seems only fair to give them access to a service they help pay for.

I urge this Committee to work with the satellite companies on giving all Vermonters access to all their state's television stations.

Finally, Mr. Chairman, on behalf of PBS stations, I want to put in a word for satellite carriage of digital signals. We and other public television stations will provide even more educational and informational programming with digital multicasting and datacasting. We recognize that time does not permit Congress to consider post-transition satellite carriage rights this year. However, we suggest that Congress address carriage rights for stations that may convert to digital-only broadcast early, before the next reauthorization of this law.

While cable carriage rules allow digital-only stations to claim equivalent cable carriage rights, SHVIA is silent on the issue. Carriage of a station's digital signal in place of its analog signal does not impose any greater burden on satellite providers, and we hope the Committee will use this extension of SHVIA to grant digital-only stations the same analog-equivalent carriage rights they are given by cable rules.

Thank you.

APPENDIX A

Comments by Vermont viewers

APPENDIX B

Joint Resolution of the Vermont Legislature Requesting Local-into-local service in Southern Vermont