

Tahoe Basin Cable TV Service

Reason for the Report

The 2003/2004 Grand Jury received a citizen's complaint that local cable TV was not providing California station TV news to the Meyers area of the Tahoe Basin.

Scope of the Investigation

People interviewed

- Local cable TV representative
- Local government officials

Documents reviewed

- Complaint
- Local cable TV contract with El Dorado County
- Applicable ordinances and statutes

Background

Complainant stated the customers of the local cable TV in the Meyers area of the Tahoe Basin were not receiving California station TV news. The only news sources were from the Reno, Nevada stations.

Facts

1. The El Dorado County contract did not specify that local California station TV news service be provided to the Meyers area of the Tahoe Basin.
2. California station news was not being broadcast on the local cable TV in the Meyers area of the Tahoe Basin.
3. The local cable TV franchise contract was purchased by the current cable TV provider.
4. The Grand Jury investigation prompted the current cable company to look into the matter.

Findings

1. The Meyers area of the Tahoe Basin was not receiving California station local cable TV news.

Response to Finding 1: The respondent agrees with the finding.

2. California station TV news to the Meyers area of the Tahoe Basin was interrupted by the business failure of a microwave relay company.

Response to Finding 2: The respondent agrees with the finding.

3. Local California station TV news broadcasting resumed after the current cable company installed a new cable which replaced the microwave relay.

Response to Finding 3: The respondent agrees with the finding.

Recommendation

1. The County contract with the cable TV signal providers should contain requirements for uniform basic services to all the communities it serves.

Response to Recommendation 1: The recommendation will not be implemented because it is not reasonable. The County's authority to issue such franchises derives from, and is considerably restricted by, the U.S Code of Federal Regulations, Title 47, Chapter 1, Part 76. These Federal regulations take precedence over any County codes. In Parts 76.55(e) and 76.56(d), the Federal Regulations define what constitutes "local" TV markets and the required basic services that all franchised CATV service providers must provide. These required basic services are clearly identified in Federal regulations, and the County has no authority to alter them. The Federal Communications Commission considers the Tahoe Basin to be part of the Reno-Sparks local television market. The services offered in the Meyers area of the Tahoe Basin, even while lacking California TV station local news, met or exceeded the Federal requirements.

The respondent feels that it would be inappropriate to include in our franchise agreements any requirements to provide particular broadcast TV stations, since the Federal regulations do not grant us that authority. Citizens who have complaints about the scope of services offered by CATV providers should address their concerns to the Federal Communications Commission, which is the agency with jurisdiction over such matters.