

May 20, 2008

H 2342. SUPPLEMENTAL PEG SUPPORT. Filed 5/20/08. *TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING, AS REQUESTED BY THE LEAGUE OF MUNICIPALITIES AND THE SOUTHEAST ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS.*

Amends GS 105-164.44I(b) by creating a definition section that references terms in GS 66-350 (State Franchise for Cable Television Service), and by defining the following: (1) *PEG channel operator* as an entity that (a) produces programming for delivery on a PEG channel; and/or (b) provides facilities for the production of programming or playback of programming for delivery on a PEG channel; and (2) *Qualifying PEG channel* as a PEG channel that for at least 120 continuous days: (a) delivers at least eight hours of scheduled programming a day, (b) delivers at least six hours and 45 minutes of scheduled, non-character-generated programming a day, and (c) has content that does not repeat more than 15% of other PEG channel content provided to the certifying county or city.

Sets forth certification requirements by clarifying that the name of every PEG channel operator must be included (as well as any other information required by the Secretary) for each certified qualifying PEG channels provided for its use by a cable service provider under either GS 66-357 or an existing agreement. Clarifies that funding must be distributed equally among certified qualifying PEG channels, as well as to multiple PEG channel operators, and within 30 days of its receipt of supplemental PEG funding, or as specified in an interlocal agreement. Requires a county or city that determines that it has certified a PEG channel in error to submit a revised certification and to return all the funds received in error. Allows for any funds returned in error to be added to the amount distributed the following year, which may cause that amount to exceed the \$2 million limit. Also makes technical changes.

Extends the time period for a county or a city to make its certification in 2008 from July 15, 2008, to September 15, 2008. Provides that the distribution of supplemental PEG channel support for the quarter that ends June 30, 2008 is to be based on the qualifying PEG channel certifications in effect for the prior distribution.

Intro. by Luebke.

GS 105