Presented by: The Manager
Introduced: 10/25/93
Drafted by: J.R.C.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1671

A RESOLUTION URGING THE ALASKA MUNICIPAL LEAGUE TO ESTABLISH A CABLE COMMUNICATIONS COMMITTEE.

WHEREAS, electronic communications are an essential part of modern government, and

WHEREAS, electronic communications are particularly important for governments operating in the vast geographic scope of Alaska, and

WHEREAS, recent developments in communications technology hold the promise of greatly improved communications through the use of fiber optics and other advanced delivery systems, and

WHEREAS, cable communications are a significant part of the communications infrastructure, and

WHEREAS, the federal government, through the adoption of the Cable Consumer Protection and Competition Act of 1992 has recognized the importance of cable and the need for governments to regulate cable services in a manner that best serves the public and the cable industry, and

WHEREAS, cable franchises granted by municipal governments are the most common method of cable regulation, and

WHEREAS, Alaska law provides for cable regulation by the Alaska Public Utilities Commission and severely limits the regulatory authority of Alaskan municipalities, and

WHEREAS, a state agency, no matter how effective, cannot regulate cable services with the sensitivity to local needs and values which can be provided by a local government;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

1. That the Assembly urges the Alaska Municipal League to establish and fund a cable communications committee for the purpose of advising the membership on the issues and opportunities associated with telecommunications technologies and telecommunications regulation, including but not limited to issues and opportunities associated with fiber optic cables; wide-area computer networks within and between cities; public, educational and governmental access television channels; Alaska Public Utilities Commission jurisdiction, and related issues.

2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 25th day of October, 1993.

Mayor

Attest:

Clerk

Proposed Manager's Report

Resolution No. 1671:

The Manager's Cable Committee has been meeting since August to explore ways that the municipality can participate in the telecommunications revolution that is fast approaching. In some ways this revolution has arrived: Alaskan Cable has been laying miles of fiber optic cable along CBJ rights-of-way, and we may soon see the benefits that this technology brings to our television entertainment.

The question of telecommunications for the Capital City goes well beyond entertainment. It also goes beyond the cable regulatory and franchising issues which gave rise to the appointment of the Committee. The Committee has discussed computer networks, videoconferencing, and other forms of telecommunications that may prove to be significant for the long-term interests of the CBJ.

For the short term it appears that a cable franchise is not within our grasp: Alaska statutes provide (in somewhat obscure language) that municipalities may not regulate cable television. It is unlikely that there is any way around this restriction short of legislative action or litigation.

For the long term, the Committee proposes to reestablish itself into smaller committees to address specific areas of concern. The mechanism for doing this will be under discussion by the Committee at its final meetings.

The Committee also recommends that the Assembly consider the statewide implications of telecommunications technology and the Alaskan system of excluding municipalities from regulating this technology. This could be a fruitful subject of discussion at the upcoming Alaska Municipal League Conference. Juneau is in a leadership position on this issue, and the Committee believes that other Alaskan communities could benefit from our experience.

This resolution recommends that the AML establish a cable communications committee for the purpose of advising the membership on the issues and opportunities associated with telecommunications technologies and telecommunications regulation. Legislative change regarding cable franchises could be part of the work of an AML committee, but only part: much more is at stake.

I recommend that this resolution be adopted and forwarded to the Alaska Municipal League for adoption at its annual conference.

JRC/mjm
Assembly Meeting: 10/25/93