'It has not yet been

#### Cable companies lobby for deregulation

A suburban congressman is getting a lot of personal attention as the cable television industry lobbles for a bill that would reduce local government regulation.

regulation.

"The restaurants in my 16th District are getting rich from all the meetings with mayors and collors the cable companies have had," chuckted U.S. Rep. John Diagell, D-Trenton.

Why Diagell's district? Because the 13-term suburban Wayoe County congressman chairs the House Energy and Commerce Committee. He's in charge of House Bill 4103, reducing local regulation of cable TV.

to house this wise, reducing local regu-lation of cable TV.

Local officials generally oppose the bill, which would reduce their latitude in granting franchises to cable firms that must use public rights of way to string wires. The Southeast Michigan Council of Governments has stirred a drumfire of opposition, too.

RIGHT NOW, Dingell is cool to the HB 4103, similar to Barry Goldwater's Scnate Bill 66 passed 87-9 by the upper chamber last year.

companies.

"The federal government has never licensed or regulated cable," Dingell sald in an intorview. "That's purely a

local function.

"It has not yet been explained to me
the great benefit of the federal government coming in and telling the mayors
of the cities I serve that the federal
government is now going to dictate the
terms of the licensing agreement between the cable company and the community.

ween the cashe company and the community.

"The cable companies sought the franchies with great enthusiasm, and made generous promises to the communities," Dingell sald. "Now they're coming to the Congress and saying. Congress, we've executed a bad contact Now have recovered as a contact the contact of th 'Congress, we've executed a had con-tract. Now you must rescue us from it.'

THE CABLE industry, however, pic-tures cable companies and their sub-scribers as victims of revenue-hungry local politicos.

O'Hara, a lawyer and liberal like Dingell, tells about a city requiring \$100,000 from a cable company to cover its committee expenses. Other war stories concern communities requiring cable firms to give them a police pistol range and a reflecting pool for city hall, along with a percentage of gross revenues, as the price of a franchise. The industry argues that the gifts and shares of gross revenue demanded by communities are really hidden taxes which come out of the subscribers processes the cable companies'. "You're the cable companies' when the cable companies' when the cable companies' and all you may want to see is the movies." Bingell's refort: "Dorrers had been

movies."
Dingell's retort: "They're big boys.
They're not children. We're talking
about men and women with a lot of
money. They offer these things freely.
Fve met no one in the cable business
who had anyone put a gun at their bead
and say, "You gotta go in and wire
Dearborn or River Rouge."

THE INDUSTRY argues that local governments don't regulate commercial TV, movie theaters, satellite antennas, subscription TV or other entertailment and communications services. Why local regulation of cable TV?

Dingell replied: "First of all, TV has been traditionally regulated by the federal government (Federal Communications Commission) because that is an

explained to me the great benefit of the federal government coming in and telling the mayors of the cities ! serve that the federal government is now going to dictate the terms of the licensing agreement between the cable company and the community.'

-U.S. Rep. John Dingell (left) D-Trenton

aspect of interstate commerce (between states).

"Cable TV is a function of intrustate commerce (within a state), which has been traditionally regulated by the states and local units of government. It (HB 4103) would be a major intrusion of the federal government into intrastate commerce."

Michlara's two Democratic sensions.

state commerce."
Michigan's two Democratic senators
split on the bill, Donald Riegie of Flint
favoring it and Carl Levin of Detroit
opposed. Despite the relative case
of Senate passage, the stedding is expect-

cd to be far tougher in the House, whose members are more susceptible to challenge by local mayors in the next blenniel election.

next blenniel election. THOMAS E. WHEELLER, president of the National Cable Television Association, was one of the industry officials touring the suburbs recently. Call the Carlotte of the C

Wheeler pointed to major changes IIB 4103 would make:

1. Communities' shares of cable revenue would be capped at 5 percent. (The current FCC cap is 3 percent.) The company would be permitted to show the fee on the subscriber to set it. Wheeler cited a Mississippi case in which a community threatened to set it. Wheeler cited a Mississippi case in which a community threatened to lift a cable of the community of the proveniental fee were challed if the governmental fee were challed in the contract of the contract and had legal and technical qualifications. Wheeler said cable firms have difficulty getting credit if banks fear that cities arbitrarily won't renow their franchise at the end of 15 years. A cable firm denied a renewal would be able to ask court review of the cruite case, not just the procedural steps.

view of the entire case, not just the pro-cedural steps.

3. Communities would be able to reg-ulate rates charged subscribers only where the cable is a monopoly — for example, in remole Upper Peninsula locations. Ensewhere, subscriber rates would be deregulated over a five-year neriod.

period.

4. The parties would have to make a percentage of their channels available for leasing. In a 35-54 channel system, 10 percent of the channels would have to be available for leasing, in a 55-100 channel system, 15 percent.

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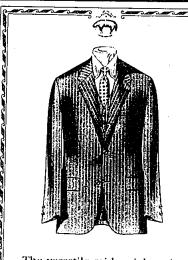
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