



## **PUBLIC ACCESS USER'S HANDBOOK**

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## I. INTRODUCTION

Welcome to Public Access!

COX COMMUNICATIONS is committed to providing Public, Educational and Governmental (PEG) Access channels, facilities and resources which will increase opportunities for community expression on issues and topics that affect the lives of the residents of the franchise area. To this end, COX believes that the local community should play an active role in determining and developing local programming.

This handbook outlines the procedures developed by COX, in conjunction with the Advisory Council and the local user groups, to encourage and facilitate the production and telecast of Public Access programming. These rules govern the use of the Company's public access equipment and the system-wide studio in Manchester, as well as local studios, except where the contrary is expressly indicated. Please carefully read the following policies and procedures that have been developed to ensure the proper utilization of the Company's Public Access system.

COX serves the towns of Glastonbury, Manchester, Newington, Rocky Hill, South Windsor and Wethersfield (the "franchise area"). COX operates channel 15, the system-wide Public Access channel, as well as Channel 14 in Glastonbury, Manchester and South Windsor.

The towns of Newington, Rocky Hill and Wethersfield each have non-profit local user groups, with facilities and equipment available for use. These user groups operate on Channel 14 and are designed to provide town specific programming for producers that are "west of the river".

The groups and their contact information are:

- Newington Community Television (NCTV) -- 667-5814 [www.nctv.org](http://www.nctv.org)
- Rocky Hill Community Television (RHCTV) -- 257-7488 [www.rhctv.org](http://www.rhctv.org)
- Wethersfield Community Television (WCTV) -- 721-8814 [www.wethtv.com](http://www.wethtv.com)

Persons residing in these towns are encouraged to contact the appropriate group for more information.

In addition, town specific Government Access programming is available on Channel 16. Contact information is as follows:

- Glastonbury – 652-7710
- Manchester – 647-5235
- Newington – 667-5814
- Rocky Hill – 258-7669
- Wethersfield – 721-2806

These guidelines are designed to answer your questions about the policies and procedures associated with our Public Access system. Our handbook is based upon the fundamental purposes of PEG access that include (as described in DPUC regulations section 16-333-33c [9]) but are not limited to:

- Enhancing First Amendment rights;
- Providing for the dissemination of diverse views and for a marketplace of ideas and information;
- Capitalizing on the possibilities inherent in "narrowcasting," as contrasted with broadcasting;
- Providing for viable alternatives to commercial programming;
- And, enhancing a sense of community among residents of the franchise area.

### **A. Hours of Operation**

The system-wide studio and editing facilities will be open to the community: Monday through Friday 10am to 9:30pm and Saturday 10am to 4pm. The facility will be closed on all recognized holidays. Reasonable hours by advanced appointment must be made not less than one week in advance and will be granted at the discretion of COX. The hours of operation for the user group studios shall be publicly posted and aired on two town specific channels. If a local user group has no set hours of operation, notice of the availability of community access, equipment and facilities shall be so posted and aired and the name and telephone number of a contact person shall be provided.

## B. Training

The Public Access staff provides training in all aspects of television production. In order to qualify for use of equipment and/or studio facilities users must attend a Basic Television Production Workshop. The workshop will cover various aspects of producing a Public Access program, utilizing basic production equipment and techniques. Advanced television production workshops, involving training on specific equipment packages, are available to individuals or groups as needed. Individuals in the group must pass the Basic Television Production course and prove their proficiency to the Public Access Department in order to take advanced courses. The local user group(s) will determine qualifications for the use of the local studios. More information regarding specific training is available in Section IV (Facilities Operation and Guidelines) of this Handbook.

## II. BECOMING A PUBLIC ACCESS PRODUCER

To air a program on the system-wide Public Access channel or on town-specific channels in Glastonbury, Manchester or South Windsor contact the COX Public Access Department. To air a program on town-specific channels in Newington, Rocky Hill or Wethersfield contact the local user group in the appropriate town.

### A. Producer's Responsibilities

The producer has a variety of responsibilities (i.e. assembling a trained crew, scheduling the use of COX facilities and equipment, contacting and scheduling guests, conducting research, writing scripts, providing talent). The producer must inform all on-camera talent and guests that Public Access programming is independently produced and he/she is not an employee or representative of COX or the user group, as the case may be.

The producer is responsible for obtaining all the necessary rights and clearances for copyrighted material and permission to transmit it over the cable system.

The producer should encourage all guests to complete a release form. A Talent Release Form can be obtained by contacting the Public Access Department.

The producer must adhere to all the rules in this handbook and is responsible for making sure that the program and individuals involved in the production adhere to the rules as well.

### B. Program Content

Material aired over the access channel, whether produced locally or provided from another source, must comply with the following criteria:

#### 1. NO COMMERCIALISM

- No endorsement or advertising of any products and/or services;
- No mention of seminars, lectures, or consultation for which the viewer will be eventually charged;
- No mention of commercial activities, including, but not limited to, concerts and clubs dates;
- No solicitation of monetary donations or contributions of any kind, including, but not limited to, advertising on behalf of candidates for public office, except as hereinafter provided; \*
- No use of the channel, facilities or equipment for financial gain, unless a written agreement is made prior to production as hereinafter provided; \*
- No selling or promotion of program time, charging guests or otherwise engaging in profitable use of community access facilities/equipment or tapes produced, except as hereinafter provided; \*

NOTE: Non-profit local user groups may solicit donations or contributions to finance local public access operations or in support of charitable or public service organizations and projects. The local sponsor must edit tapes containing references to monetary donations or contributions to profit-making organizations.

#### 2. NO PROMOTION OF LOTTERY MATERIAL, GIFT ENTERPRISES OR SIMILAR SCHEMES\*

#### 3. NO LIBELOUS, SLANDEROUS OR ILLEGAL MATERIAL\*

#### 4. NO OBSCENE MATERIAL, SEXUALLY EXPLICIT CONDUCT, PROFANE LANGUAGE OR MATERIAL

## SOLICITING OR PROMOTING UNLAWFUL CONDUCT\*

Producers who air programs containing this type of material will be given one warning. If a second offense occurs that producer's program will be moved to an "ADULT PROGRAMMING BLOCK". The adult programming block will be from 10pm till 2am.

### 5. NO MATERIAL WHICH INCITES VIOLENT OR HARMFUL ACTS \*

\* As they refer to state and federal laws

#### **C. Producer's Rights**

Producers of Public Access programming retain all rights to their program content. However, in Educational and Government Access operations, and the materials produced thereby, producer's rights shall be subordinate to the rights of the government agency.

#### **D. Publicity and Promotion**

COX cannot, and will not, publicize, promote or act as an agent for individual Public Access programs. COX will only promote the use of the channel at its sole discretion. Every attempt will be made to air programming as scheduled; however, there is no guarantee of compliance with program schedules. The producer/local sponsor(s) must assume the risk of non-compliance. Due to circumstances beyond the control of the channel operator neither the Company, nor any local user group, may be held responsible for losses sustained as the result of failure to comply with program schedules.

#### **E. Viewer Response**

Viewer response may be encouraged by displaying the producer's address, e-mail address, website and/or phone number as part of the end credits for 15 seconds, or, if the program is 30 minutes or longer, during a break for 15 seconds. This response address, e-mail address, website or phone number may not be that of a commercial business or service, and no business names can be displayed. The only lead announcement allowed is "For more information contact..." COX's address or phone number must not be used for this purpose.

#### **F. Disclaimer**

COX will air a disclaimer graphic that will proceed the days programming stating "The views and opinions expressed on the following program are not necessarily those of COX Communications or its employees." The same should be done for programs aired by local user groups that include the appropriate verbiage.

#### **G. Sponsorship**

Sponsorship (financial assistance) by a business, individual or non-profit organization is allowed. Sponsorship contributions are for production expenses exclusive of time (i.e., videotape, props, and transportation for guests). This restriction shall not apply to programming emanating from local studios operated by local, non-profit user groups. All sponsorship must be declared prior to airtime. Producers must return to their sponsors any funds collected which exceed production costs. Commercial advertising is prohibited during Public Access programming.

Sponsorship acknowledgment is allowed utilizing the following guidelines, which allow you to identify your sponsors without creating an advertising or promotional effect.

#### **H. Placement of Credits**

Sponsor credit may appear at the beginning and/or end of the program in audio and/or video. Sponsor credits may be 15-30 seconds in length per sponsor. In the case of multiple sponsors, total sponsor credit may not exceed 45 seconds (1 minute and 30 seconds if it appears at the beginning and end).

#### **I. Permissible Audio**

Sponsorship credit must contain the following lead announcement followed by the names of the sponsors. No other description of the sponsor is allowed. "The following/preceding Public Access program has been presented through the assistance of..."

General musical background audio is acceptable provided it is not promotional. No jingles. Producer must provide all copyright permission necessary for music.

#### **J. Permissible Video**

Corporate, partnership, proprietorship or other business logos, animated or otherwise.

Non-promotional slogans or tags.

The outside view of the business or enterprise as long as it is not promotional.

Sponsor's name and city. No phone numbers or addresses can be listed.

#### **K. Courtesy Credits**

Credits at the end of the program that acknowledge contributors of in-kind services to the production (such as "hair by") are considered courtesy credits. Only the entity's name and the city in which it is located, no phone numbers or addresses can be listed. Courtesy credits are in addition to sponsorship credits.

Programs utilizing COX's facilities, resources or equipment should credit COX Communications, Manchester, CT.

#### **L. Commercial Use of Public Access Programming**

No public access programming shall be utilized for commercial purposes without express, prior, written agreement between the producer and the provider of access facilities and/or equipment. Such agreement may provide for the sharing of profits realized from such commercial use. If the provider of access facilities and/or equipment is a local user group, prior consultation with COX Communications is required.

COX COMMUNICATIONS will not:

1. Duplicate a tape, or any portion thereof, without prior permission of the producer, except when a public access sampler tape is being compiled for the purpose of promoting the concept of public access. Any producer who does not want a portion of his or her tape used in a sample tape promoting public access must state so in writing at the time when submitting a program application.
2. Use a tape on any commercial or non-access channel(s) or distribute the tape commercially.
3. Make a copy for a third party, except when required by a regulatory body or a court of appropriate jurisdiction.

### **III. AIRTIME**

#### **A. Rules for Airtime**

Airtime on the public access channel is made available free of charge on a first-come, first-serve, non-discriminatory basis. Every effort is made to insure that programs are aired at the requested time, but is dependent on the availability of playback decks, volume of requests and other factors. Applications for airtime must be submitted at least 20 business days prior to the requested time. The local producer or local sponsor will be given prior notification as to the exact airtime of the program.

There may be technical problems or extenuating circumstances beyond the control of COX Communications that may cause the cancellation or postponement of programs. The producer will be given as much advance notice as possible. Whenever possible, the program will be rescheduled.

Program time slots shall not exceed two consecutive hours unless prior agreement has been made with the channel operator. Multiple copies of the same program, even if submitted by different applicants or under different names, will NOT be accepted. The process of "looping" (i.e. running a 10 minute segment back-to-back three times to make a 30 minute show) is also not acceptable.

#### **B. Programs Produced Outside the Franchise**

Programs produced outside the franchise area may be submitted for airtime on the Public Access channel if they meet the rules and are for the benefit of persons residing in COX's franchise area (see Connecticut General Statute 16-333). The applicant or "local sponsor" must be a legal resident of one of the six towns served by COX. No administrative fees will be charged, however, the following guidelines must be followed:

The local sponsor must be familiar with this Handbook and submit a Program Application for airtime.

An appointment must be made by the local sponsor to drop off or pick up tape(s) at least 24 hours in advance.

Programs must meet COX's technical standards. (see Section G page 8)

#### **C. Program Scheduling Conflicts**

Channel operators shall make every effort to schedule access programming in accordance with the airtime requested. Where a requested airtime is already allocated, the operator shall immediately notify the applicant and offer alternatives. When simultaneous applications are received for the same airtime, the following order of priorities shall govern:

1. Locally produced live educational or governmental access programming
2. Locally produced live public access programming
3. Locally produced recorded educational or governmental access programming, not previously aired
4. Locally produced recorded public access programming, not previously aired
5. Locally produced recorded educational or governmental access replays
6. All other community access programming

Time slots are non-transferable and the 13-week rule will be applied to resolve unavoidable conflicts involving series programming in accordance with Connecticut General Statutes, Sec. 16-331a(e). Scheduled programming may be pre-empted at the discretion of the channel operator by public service announcements concerning national, state or local emergencies or by unique and unanticipated live programming of a high newsworthy character. The channel operator will make every effort to resolve scheduling conflicts. Any applicant aggrieved by a local scheduling decision may appeal to the Advisory Council.

#### **D. Single Programs**

A single program will be scheduled for no more than a four-week period and for no more than one airtime per week. A single program is usually a one-time event or subject that is not of a continuous or ongoing nature (i.e. a single concert, sporting event or school play). Following the completion of a four-week airtime a producer must wait at least six months before resubmitting the same program.

**E. Series Programs**

Regular weekly time slots for a series will be based upon available airtime and other scheduling considerations. COX will provide a regular weekly time slot for a period ranging from 2-13 weeks. At least one new program must be provided each month to be eligible for and maintain a weekly time slot.

**F. Series Renewals**

All public access series are renewed on a quarterly basis.

A Series Renewal Form must be completed and submitted to the Public Access Coordinator between the quarterly renewal dates listed below.

**Renewal Form Must Be Submitted Between:**

**For Calendar Quarter:**

December 15 and December 31  
March 15 and March 31  
June 15 and June 30  
September 15 and September 30

January 1 to March 31  
April 1 to June 30  
July 1 to September 30  
October 1 to December 31

It is NOT the responsibility of the Public Access Coordinator to remind the producer or local sponsor to renew his/her series program(s). If the renewal form is not completed and submitted to the Public Access Coordinator during the required renewal period, the series will not be renewed.

**G. Technical Standards**

Programs may only be submitted on VHS, S-VHS or Mini DV in **Standard Play (SP)** mode.

**One Program Episode** per tape. Multiple episodes on one tape will not be accepted.

**30-Second bars/black pre-roll** should be at the start of your tape leading to your program. If you do not edit your tape, fade to black or put the lens cap on your camcorder and record 30 seconds at the beginning of your tape. Start recording your event at the end of the 30 seconds.

Tape audio **MUST** be recorded in Normal audio mode. Tapes which have audio recorded in the hi-fi mode will not be accepted. Tapes with low or insufficient audio signal levels will not be aired.

Tapes **MUST** be labeled correctly with all the information included:

**SPINE Label (side of tape):**

<b>Show Title</b>	<b>Air date (s)</b>
Episode Identifier (If Applicable)	
<b>Pre-Roll</b> ____:____	<b>Run Time (RT):</b> ____:____:____

**Show Title** - must be clearly indicated.

**Air Date (s)** - the date (s) this program will air.

**Pre-Roll Time** - the 30 seconds of bars/black leading to the start of your program.

**Run Time (RT)** - needs to be clearly and accurately indicated.

**Example 1hr. 25 min. 43 sec. = ( RT 1:25:43 ) This is the total time from the start of your program until the end credits excluding the pre-roll time.**

**FACE Label (top of tape):**

<p><b>Show Title</b></p> <p><b>Episode Identifier (If Applicable)</b></p> <p><b><u>Producer or Sponsor</u></b></p> <p><b>Phone Number</b></p> <p><b>Air Date (s)</b></p> <p><b>Pre-Roll: ___:___ Run Time</b>  <b>(RT): ___:___:___</b></p>
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**Show Title**

**Name of the Local Producer or Sponsor and Phone Number** - the person responsible for tape pick up and drop off / contact for tape problems.

**Air Date (s)**

**Pre-Roll Time**

**Run Time (RT)**

**H. Tape Pick-up and Drop-off**

Tapes cannot be mailed to or from our Public Access Department. Any tapes that are mailed to us will not be accepted. Tapes must be picked up and dropped off by the Producer/Local Sponsor who resides in the franchise area. All tapes must be delivered to the COX Public Access facility located at 801 Parker Street in Manchester. An appointment must be made at least 24 hours in advance with a Public Access Coordinator in order to pick-up or drop-off tapes.

**IV. FACILITY OPERATION AND GUIDELINES**

**A. Reserving the Production Facilities and Equipment**

COX COMMUNICATIONS Public Access facilities and equipment are provided free of charge for the use of persons residing in the franchise area to produce and air non-commercial Public Access programs. All programs produced using the facilities/equipment must be aired on Public Access. COX reserves the right to ask for proof of residency (i.e. a valid State of Connecticut driver's license) before any studio, equipment usage or editing time is booked. All facilities and equipment (with the exception of the Mobile Studio) must be scheduled through the Public Access Coordinator.

Public Access programs must be produced in accordance with federal, state and local laws and the guidelines set forth in this booklet. All Public Access Users **MUST** complete the Public Access User's Application Form. COX operates a studio, mobile studio and editing facilities at 801 Parker Street, Manchester, Connecticut. The scheduling of facilities is provided on a first-come, first-serve, non-discriminatory basis. There are no "regular time slots" for use. Any one Access user cannot have more than two reservations for each of the following: edit suite; equipment; or the studio, at any given time. Access users are required to give notice of cancellation for studio, equipment or editing reservations 24 hours in advance. Access usage time is non-transferable. Scheduling changes can be adjusted at the discretion of COX.

**B. Crewmembers**

A crewmember is an individual who assists in the production of a producer's program. Crewmembers must be at least 18 years of age and have completed the Basic Television Production Workshop. Eligibility for usage of specific equipment or equipment packages by the individual/groups will be determined by their knowledge and expertise as proven to the Public Access Coordinator, based on completion of various training workshops, proven proficiency and hands-on experience. For more information about training workshops please call the Public Access Coordinator. Members of a crew utilizing COX equipment/facilities must be a resident or be associated

with a non-profit organization within the franchise area. COX reserves the right to require a valid driver's license to prove residency or contact information for an individual who can confirm association with a non-profit organization.

### **C. Editing**

COX offers a variety of editing systems from beginner to advanced. Edit training is available on an individual basis. These classes cover basic linear and/or non-linear editing techniques using transitions, graphics, voice-overs and music inserts. Reservations for edit suites are limited to four hours. Contact the Public Access Coordinator for more information or to schedule edit time or training. COX Communications is not responsible for any tape or data loss.

If a project requires titles or graphics, a Character Generator training class is required prior to the edit training class.

### **D. Character Generator**

COX offers an extensive system for graphics or titling of programs in both the studio and edit suites. CG training is also available on an individual basis. The training includes an overview of font styles, colors, shadows and importing pictures or creating backgrounds. Contact the Public Access Coordinator for more information or to schedule training.

### **E. Portable Equipment**

***Access equipment may not be used for personal projects.***

Access users CANNOT modify Cox equipment.

Portable equipment cannot be taken outside the State of Connecticut, unless approved by the Public Access Coordinator. Appropriate and sufficient identification is required before equipment is removed from the premises. COX reserves the right to refuse use of Access equipment to any individual who is unable or refuses to present COX with sufficient personal identification.

An access user must sign the Equipment Sign-Out Form before taking equipment and agrees to exercise proper care of the equipment in accordance with instructions given by COX staff.

Proper care of equipment must be exercised at all times (i.e., DO NOT leave equipment in car during extreme heat/cold conditions). The equipment must be kept under lock and key when not in use. The individual checking out equipment must notify COX upon return of equipment of any problems with the equipment. The individual checking out the equipment will bear all costs if the equipment must be repaired or replaced due to damage incurred by theft or abuse.

Portable equipment is available for a 48-hour period. For weekend use, equipment may be picked-up on Friday and returned on Monday. COX will handle special requests for use of equipment for more extended periods of time on a case-by-case basis. An individual Access user or group may borrow the equipment a maximum of four times per month; exceptions to this will be made at the discretion of COX staff and are contingent upon availability of equipment.

Penalties for the late return of equipment are covered in the "Violations" section of this booklet.

### **F. Studio Productions**

The studio can be reserved on a first-come, first-served basis, at least two weeks in advance, but no earlier than six weeks in advance of the production date. This requirement may be waived at the discretion of COX.

Studio production time is limited to a four-hour reservation (including studio setup/breakdown). Special requests can be arranged at the discretion of COX staff. The staff is available for technical assistance and consultation and will at all times make a good faith effort to assist you in maximizing the success of your production. It is your responsibility as a Producer to work within the technical capabilities of the facilities and equipment and to modify all production requirements accordingly prior to the commencement of your production.

It is the responsibility of the producer to provide a production crew for all live and live-to-tape studio programs. The producer must supply a minimum of three (3) qualified crewmembers for a show with one or two people on the set and a minimum of four (4) qualified crewmembers for a show with three or more people on the set.

Producer and crew must arrive 15 minutes prior to their scheduled studio time. Upon completion of the studio time, producers, crew and guests are asked to leave the premises within 15 minutes after breakdown.

**Only individuals necessary to the production should be present in the facility.**

If any studio equipment is broken or damaged, exclusive of normal wear and tear, the Producer shall be responsible for the full cost of repair and/or replacement as required.

COX provides a basic studio set and some props. You may supplement with your own set and props, but COX cannot provide storage. It is recommended to limit your talent to four people on the set at one time.

Productions that create excessive noise (e.g., live bands) or disrupt other activities in the building will be scheduled at the sole discretion of COX.

It is recommended that persons appearing before the camera do not wear white or red clothing or large, reflective jewelry, as these will adversely affect lighting and contrast.

The producer must provide his/her own videotape of reasonable quality. COX is not responsible to provide dubs.

#### **G. House Rules**

All interaction between public access staff and public access users shall be conducted with courtesy and civility.

Cooperation and courtesy of the producer and crew is a MUST to ensuring a successful production.

Producers and guests should remain in the studio area while on COX premises. Restroom facilities are available. COX's telephone, for personal use, office equipment and employee lounge is off-limits.

Parking is limited, so please try to carpool if there are a number of visitors coming together.

No food or drink is allowed in the studio, control or edit rooms. Coffee, water, etc. used on the set during a production or when the show features food preparation is allowed. Producers and their crews should plan to eat meals prior to arriving.

No smoking is allowed in the facility.

The possession and/or use of alcohol or drugs on COX property or during possession of Public Access equipment are strictly forbidden. Anyone who possesses these items, or appears to be under the influence of alcohol/drugs will be asked to leave the premises.

No obscene material, sexually explicit conduct or profane language is allowed on COX Communication's property.

## **V. MOBILE STUDIO GUIDELINES**

### **A. Producer Qualifications**

A producer must meet all of the following criteria to be qualified for the use of the Mobile Studio.

1. Must be at least 18 years of age.
2. Successfully completed Basic Television Production Workshops I and II.
3. Must have worked on one prior mobile studio production, or have attended a mobile studio training class.

### **B. Crew Qualifications**

The following requirements must be met to be a qualified Crewmember.

1. Must be at least 18 years of age.
2. Successfully completed Basic Television Production Workshops I and II.

### **C. Producer Responsibilities**

The producer is responsible for all aspects of the production including, but not limited to:

1. Providing properly qualified crew members
2. Setup and operation of all equipment
  - Camera setup/operation
  - Running of audio/video/camera cables
  - Technical directing
  - Audio board operation
  - Character generator operation
3. Securing all location paths
4. Clearances and access to points of entry/exit prior to arrival of mobile studio
5. Access to electrical power (if needed)
6. Contacting and scheduling guests
7. Conducting research
8. Writing scripts
9. Ensuring all crewmembers abide by COX Communications rules and regulations as they pertain to the use of COX Communications facilities and equipment.
10. Informing all on-camera talent and guests that Public Access is independently produced programming and that he/she is not an employee or representative of COX Communications or a user group.

The Producer is responsible for any damage that may happen to the Mobile Studio and its equipment during the entirety of the production. It is also the responsibility of the Producer to air the program(s) produced using the Mobile Studio on COX Public Access in a timely fashion. Failure to adhere to any or all of these responsibilities cited above will result in suspension.

### **D. Engineer Responsibilities**

The Mobile Studio Engineer is responsible for the technical aspects and safety of the mobile studio and equipment. The Engineer will not take the place of any absent crewmember. The Mobile Studio Engineer reserves the right to cancel or end the production early due to inclement weather or any other unforeseen factors that might lead to the endangerment of the mobile studio, equipment, or crew.

### **E. Schedule and Requests**

Mobile Studio requests can be made as early as 40 business days prior to the production, but no later than 15 business days. It is recommended that the Producer call the Engineer before submitting a request to check Mobile Studio availability. A Mobile Studio Request Form must be completed in full and submitted to the Engineer within the above listed time frame. Incomplete Mobile Studio Request Forms will not be accepted. If an

incomplete form is received, then a new form must be completed in full and resubmitted for approval. The requesting producer will receive a phone call from the Engineer, approving or denying the request. Once a Mobile Studio Request Form has been accepted all crew changes and/or additional equipment requests require approval of the Public Access Engineer.

#### **F. Priority**

The Mobile Studio is scheduled on a first-come, first-serve basis. The Mobile Studio is to be used for special events that cannot be taped in the Production Studio or with portable equipment. If conflicts arise they will be settled on the following basis:

Priority 1 - Remote location	Return drop available	No power available
Priority 2 - Remote location	No return drop available	No power available
Priority 3 - Remote location	Return drop available	Power available
Priority 4 - Remote location	No return drop available	Power available
Priority 5 - Local location	Routine programs	
Priority 6 - Local location	Demonstrations/Training	

**\*Note: Live air time will take preference over taped programs, all other things being equal. In the case of scheduling conflicts mobile studio producers can appeal to the Advisory Council.**

## **VI. Violations and Penalties**

In order for the Public Access User's Handbook to be effective, a penalty system has been instituted. There are two types of rules which, if violated, can result in restrictions on an Access User. COX is authorized to issue warnings and suspensions, which will be provided in writing. If the user disputes the penalty an appeal can be made.

#### **A. Major Violations**

Major violations will result in an immediate 90-day suspension. COX will conduct a review of the individual/group responsible for the violation. These may include, but are not limited to:

1. Commercial or profit-making use of facilities without prior written agreement with COX.
2. Material misrepresentation of affiliation with COX beyond that of a public access user.
3. Falsifying forms.
4. Taking or reserving equipment without staff permission.
5. Modification or abuse of equipment, including attempted repair.
6. Entering areas posted as off-limits.
7. Use of alcohol and/or drugs while on COX property or using COX facilities/equipment.
8. Possession of alcohol and/or drugs while on Cox property or using COX facilities/equipment.
9. Abuse or harassment of staff and other access users.

The producer will be subject to a review by COX prior to any potential reinstatement.

COX reserves the right to permanently ban privileges for repeated major violations or for an infraction so egregious that the penalty is warranted.

#### **B. Minor Violations**

Minor violations will result in the following series of actions within a one-year period:

- First Violation - written warning
- Second Violation – 30 - day suspension
- Third Violation – 90 - day suspension

Minor violations include, but are not limited to:

1. Failure to cancel a reservation in accordance with set guidelines.
2. Late pick-up or return of equipment without notification and approval.

3. Mishandling of equipment.
4. Eating, drinking or smoking in prohibited areas.
5. Failure to clean up after using the facilities.
6. Failure to meet program content guidelines.

### **C. Appeals Process**

Users are encouraged to resolve their difficulties with the Public Access staff. However, anyone wishing to appeal a decision of COX Communications may do so in the following manner:

1. Within 5 days of the action of the staff, the access user may request in writing a meeting with the Advisory Council's Appeals Committee in order to resolve the situation. The committee shall meet within 10 working days of a request and render a decision within 3 working days from the time of the hearing.
2. The Advisory Council will be informed of the decision of the committee at their next scheduled meeting.
3. While under appeal, a penalty will be enforced until the committee makes a decision.

The Advisory Council Appeals Committee will have the following representation:  
Appeals Committee Chairperson, a Council Representative and a COX Communications Representative.

## **VII. Legal Requirements**

### **A. Records and Public Inspection**

COX Communications shall maintain a complete record of the names and addresses of all persons requesting airtime, using studio/editing facilities or portable equipment for a period of three years. These records will be available for public inspection during normal business hours.

Persons requesting public inspection shall identify themselves by name and address in order to maintain administrative control of such records.

Access channel time or facilities will not be made available to any applicant who refuses to have his identity maintained in the records and available for inspection as required by DPUC regulations.

### **B. Reservation of Rights**

COX does not enter into any contract or other binding agreement with an Access User, Applicant or Person seeking to become an Applicant by virtue of the existence of these rules and policies. COX expressly reserves all rights to alter, adjust, modify, change, delete, substitute and to implement and enforce these rules and policies after prior consultation with the Advisory Council. Nothing contained herein shall be construed to constitute a waiver of the Company's rights under applicable law.