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2011 FORM TR-PEG INSTRUCTIONS

Certifications must be received in this office by JULY 15, 2011
(Forms available at www.dornc.com/downloads/property.html)

On the certification form, each channel must be identified as either a public, educational, or government channel. The certification now must include the name of the PEG channel operator for each channel and the signature of an authorized official of the PEG Channel Operator. **A PEG Channel Operator may be included on the certification form of only one local government for each type of PEG channel that it operates.** A PEG channel operator is the entity that:

- 1) produces programming for delivery on the PEG channel, or
- 2) provides facilities for the production of programming or playback of programming for delivery on the PEG channel.

If a local government operates its own government or educational channel and produces or purchases the programming for that channel, or makes its studio available to residents for the production of programming shown on the public access channel, the government should list itself as the PEG Channel Operator. In most other cases, the PEG Channel Operator will be a separate organization, such as a community college, school district, private college, or non-profit organization. The PEG Channel Operator is not to be confused with the cable service provider.

If a channel has more than one PEG Channel Operator, please list all PEG Channel Operators. **Examples of how various PEG channel operating arrangements should be treated on Certification Forms are provided in Appendix A.**

(Over)

A channel must meet all of the following conditions in order to be certified as a qualified PEG channel:

1. The PEG channel must be provided to the certifying local government under:
 - a) A State cable franchise issued after January 1, 2007, pursuant to SL 2006-151; or
 - b) A local cable franchise agreement that was in effect on January 1, 2007; or
 - c) A local cable franchise that expired before January 1, 2007, if the cable service provider still provided cable service to subscribers in the franchise area on January 1, 2007;
2. The PEG channel must have operated for at least ninety (90) days during the 10-11 fiscal year;
3. The channel must have delivered at least eight hours of programming a day during the 10-11 fiscal year;
4. The PEG channel must have delivered at least six (6) hours forty-five (45) minutes of non-character-generated programming a day during the 10-11 fiscal year; and
5. The PEG channel must have repeated no more than fifteen percent (15%) of the content of any other PEG channel provided to the city or county during the 10-11 fiscal year.

For each PEG Channel provided to your government under a State franchise or existing local franchise, please provide the required information about the channel on the form.

The form includes boxes in which the PEG Channel's Certifying official must indicate whether or not the channel meets the criteria. **The answers to the qualification questions should be provided by the PEG Channel Operator.** PEG Channel Operators must carefully assess whether their programming for the 10-11 fiscal year met the criteria.

When the Certification Form is received, DOR will determine whether the information on the form is complete and whether the local government has certified that all of the qualifying criteria have been met. If the form is not complete or is unreadable, it will be returned to the local government. The form may be corrected and must be resubmitted before the July 15 deadline.

After July 15, 2011, DOR will check each form against all other submissions to determine whether any of the listed PEG Channel Operators are included on multiple forms for the same channel type. If a PEG Channel Operator is listed more than once for the same channel type, DOR will contact the Channel Operator to determine which certification is correct.

DOR will accept all forms received by July 15, 2011 that are complete, indicate that all qualifying criteria were met, and for which the PEG Channel Operators are listed on only that Certification Form for each channel type, along with appropriate signatures. DOR will deem all PEG Channels on such forms to be certified.