

Introduced by: Drathman, Russo
Date: 4/04/95
Carried over to: 4/18/95
Action: Adopted
Vote: 7 yes, 2 no

**KENAI PENINSULA BOROUGH
RESOLUTION 95-020**

**A RESOLUTION REQUESTING THAT THE ATTORNEY GENERAL FOR THE
STATE OF ALASKA INVESTIGATE THE LEGALITY OF THE ANCHORAGE
BROADCAST TELEVISION CONSORTIUM'S DECISION TO TERMINATE
TRANSMISSION OF TELEVISION TO THE SOUTHERN AREAS
OF THE KENAI PENINSULA BOROUGH**

- WHEREAS,** on March 15, 1995, the Anchorage television stations KTUU-NBC channel 2, KTBY-FOX channel 4, and KTVA-CBS channel 11 ceased broadcasting their programming to Girdwood and the South Kenai Peninsula areas via the State of Alaska transmitter system; and
- WHEREAS,** Anchorage television stations KTUU, KTBY, KTVA along with Anchorage television stations KIMO-ABC channel 13 and KYES channel 5 from "Anchorage Broadcast Television Consortium"; and
- WHEREAS,** television access in today's society has become almost a necessity for the receipt and distribution of information; and
- WHEREAS,** numerous Alaska citizens in the southern area of the Kenai Peninsula Borough have come to rely on these transmissions over the years for viewing and advertising; and
- WHEREAS,** the Consortium and its individual television stations collectively refuse to permit its individual members to broadcast in these areas via television translator even though the State of Alaska dropped the participation fee from \$16,999 per year per commercial station to \$9,000, and has subsequently agreed to continue to provide the present services for free until such time as the problem can be resolved; and
- WHEREAS,** it was the Consortium's decision to terminate broadcasting to the Girdwood and South Kenai Peninsula area; and
- WHEREAS,** the Consortium's decision to terminate was an action taken in concert which may be in violation of anti-trust laws and fair business practices;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly, on behalf of Alaska citizens residing in the southern areas of the Borough, requests that the Attorney General for the State of Alaska investigate the legality of the Consortium's and its members' termination of television transmissions in those areas as soon as possible.

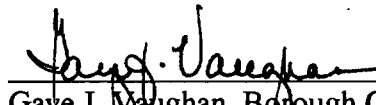
SECTION 2. That the clerk shall send this resolution to the Attorney General immediately after its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 18th DAY OF APRIL, 1995.



Andrew P. Scalzi, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk