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Details: Press releases

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Commerce, Utilities, and Rail (SC-CUR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Gigi Godwin (LRB) (November/2011)

Regional Telecommunications Commission

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Bob.chernow@rbcdain.com

FEBRUARY 7, 2007

The Regional Telecommunications Commission (RTC) is made up of 33 member and associate municipalities. We negotiate master cable and video contracts for our communities that can be adjusted for local needs, such as PEG. We have also created regional rights of way and restoration guides and ordinances.

Our communities have the highest concentration of current cable/video subscribers in Wisconsin.

We understand that the Senate and Assembly are considering special legislation that will let AT&T bypass our communities and that will violate our Time Warner Cable contracts and our local rights of way.

Our concerns are several:

- 1- We do not want our communities red lined on a racial or economic basis.
- 2- We want our 5% franchise fee for our rights of way.
- 3- We want to continue support to our local PEG channels.
- 4- We need to retain local control over our rights of way because:
 - a. There is a public safety issue for installed equipment. For example, an AT&T cabinet blew up in Houston, Texas, taking out part of an alley. We do not yet know what caused this.
 - b. Local oversight is needed to prevent problems of criminal trespass and the interception of sewer and waterlines. For example, the DOT gave the right for a private carrier to use its right of way, but did no supervision. Several sewer and water lines were broken in Madison. In Greenfield, a contractor broke down a fence on a business property to get to the State's right of way.

- c. Most utilities now contract out construction, but do not supervise the builders who often do not coordinate with our communities.
- d. When citizens have legitimate complaints about public utilities, they go through our local commissions or municipalities. Is the Public Service Commission set up and staffed to take over this chore? Currently this is done by people who serve as non-paid volunteers or are elected locally.

We also want to make clear the following:

- 1- Our communities want competition. Our relationship with Time Warner Cable is often strained and we do not like the yearly price hikes. We sought out COMCAST and MARCUS to serve our communities, but were turned down. We sped through the application of DIGITAL ACCESS in six months (and would have done so sooner if their attorney moved faster). We **sought out** AT&T when we heard that they wanted to serve our communities. Our idea was that we would create a single basic contract that could be used in our region, but which could be adjusted for PEG if a community needed something special.

We bargained in good faith, but found ourselves making all the compromises. The local AT&T people had no authority to compromise, but took their instructions from their Texas Headquarters. Indeed, we concluded that a Marketing Plan created in San Antonio directed AT&T's negotiations. Despite this, we suggested that many of the financial requirements placed on Time Warner Cable (such as bonding, insurance) might not be required by AT&T if they were able to use this coverage from their other operations.

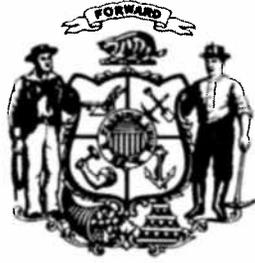
- 2- AT&T decided to flaunt the law and illegally start their operations in video without a franchise contract. The City of Milwaukee is suing them. Our communities are joining in support of the City.
- 3- AT&T has threatened that they can accomplish what they want through Wisconsin's Senate and Assembly. We believe that they will try. In states like Texas, they spent a reputed \$7 to \$8 million to buy a statewide cable program.

We want competition, but we need to honor our contracts with Time Warner Cable. For public safety reasons, we need to retain our local rights of way.

Help us continue to serve our communities.

Bob Chernow, Chair





WISCONSIN STATE LEGISLATURE
P. O. Box 7882 Madison, WI 53707-7882

******MEDIA ADVISORY******

For Additional information Contact:

Rep. Phil Montgomery – 608-266-5840
Sen. Jeff Plale – 608-266-7505

VIDEO COMPETITION ACT TO BE UNVEILED

Madison....State Representative Phil Montgomery (R-Ashwaubenon) and state Senator Jeff Plale (South Milwaukee) will be joined by labor and members of the business community as they announce their plans to deliver video competition to Wisconsin consumers.

PRESS CONFERENCE

THURSDAY MARCH 8, 2007

11:00 AM

ASSEMBLY PARLOR

STATE CAPITOL

MADISON

ATTN: News editors

Press Conference

Welcome by Phil

Quick introduction of those in attendance:

Mike Gaybel – Communication Workers of America

Steve Baas – MMAC

Tom Still – Wisconsin Technology Network

Phil – talk about why we need to change the current franchising process and the benefit to consumers

Jeff – talk about how we protect municipal franchise fees and rights-of-way and the jobs this bill will create

Jeff can introduce Mike Goebel

Jeff can introduce Steve Baas

Phil can introduce Tom Still

Phil and Jeff take the podium to answer questions

TO: All Legislators
FROM: Representative Phil Montgomery
Senator Jeff Plale
DATE: March 8, 2007
RE: LRB 1914/3 - The Video Competition Act

*1/1/07
→ Floor Chair
→ Ass. Parlor*

The current cable franchising process was designed to protect consumers from natural monopolies. Today it stands as a barrier to competition.

For decades municipalities have granted long-term contracts to cable/video providers to serve their communities. The high infrastructure costs and the franchise negotiating process have been cost prohibitive obstacles to prospective competitors wishing to enter a market with an incumbent provider. In fact, only 1.5 percent of households across the country have choice of wire-line cable/video providers.

Just as technology has evolved, it is time our cable franchising process is transformed to promote competition, not stifle it.

The cost to consumers using today's outdated franchising model can be quantified. A one year delay in competition is estimated to cost Wisconsin consumers \$149 million (\$82 per household) and up to \$660 million (\$362 per household) over five years.

Competition doesn't only translate into lower prices for consumers. Competition generates increased investment in Wisconsin's economy.

During the mid-1990's the cable industry invested \$100 billion to upgrade their networks develop new technology in response to competition from Satellite providers. Telecommunications companies in turn responded by improving their broadband offerings. This new wave innovation will push investment to new heights.

Eleven states had billions of dollars injected into their economies with infrastructure upgrades after they removed their barriers to competition.

We want Wisconsin to be the next state to not only see this investment, but provide choice to consumers; therefore, we are introducing LRB 1914, the Video Competition Act.

LRB 1914 does the following to bring video choice to Wisconsin consumers:

- ◆ The Video Competition Act streamlines the franchise application process and centralizes it in one state agency. The days of long, drawn out negotiations with multiple entities will be replaced with a 10 day review period.

- ◆ Our statutes will be updated to incorporate video technology into the franchising process. Both cable and video providers will have to obtain a "video service" franchise to operate and must remit 5% of their gross receipts to the municipalities they serve.
- ◆ Franchise payments will be made directly to the municipalities; therefore, video fees will be secure because they never touch the state coffers.
- ◆ Revenue for municipalities will actually increase as the customer base for video grows. Customers will have new technology to choose from, competition will welcome first-time consumers into the market and a number of satellite customers who were not contributing any franchise fees will switch providers.
- ◆ LRB 1914 will ensure a level playing field for all video service providers by allowing current video service providers the opportunity to opt out of their current franchise agreements and obtain a statewide video franchise.
- ◆ Municipalities will maintain existing authority over rights-of-way.
- ◆ PEG (Public, Educational and Government) channels will be preserved. New entrants into a market will have to match the incumbent providers PEG commitment.
- ◆ The bill expressly prohibits discrimination based on income or race. *→ only build out rights.*
- ◆ Video providers must comply with certain FCC customer service standards.

→ unclear the overlay; still researching for answer on
 If you wish to co-sponsor LRB 1914 and its Senate companion, please contact Rep. CP Montgomery at 6-5840 or simply reply to this e-mail no later than 3:00 pm on Thursday, March 15, 2006.

Those who sign onto one LRB 1914/3 will also be signed onto the companion unless they indicate otherwise.

100.20 Fair Trade Law

- Consumer Protection / Cust. Service Standards
- can't set benchmarks
- Talk to DATCP re: power to engage in consumer protection
- Up to 5% of gross

100.209 Cable TV Subscribers Rights

- full out repeal
- Prohibition on Rule-Making; DFI is a paper clearinghouse.





State Senator

Neal J. Kedzie

11th Senate District

April 18, 2007
FOR IMMEDIATE RELEASE

Contact: Sen. Neal Kedzie
(608)266-2635

Kedzie Will Attempt to Remove Video Franchise Fee

Madison – State Senator Neal Kedzie (R-Elkhorn) will offer an amendment to Senate Bill 107 – commonly referred to as the Video Competition Act – to remove a recently added application fee for anyone wishing to provide cable services under the provisions of the bill. Kedzie says the decision to include a \$1,000 fee – and now possibly a \$2,000 fee, as adopted by the Assembly – was made behind closed doors, with no opportunity for public or committee debate. In addition, Kedzie fears the new fee may be passed along to cable customers, which Kedzie says runs counter to the intent of the bill.

“For months, I have heard from many constituents who are dissatisfied with increased costs by their cable provider, and this bill was the answer,” said Kedzie. “But now, all providers will be subject to a large application fee to offer such services and we have no guarantee those fees will not be passed along to their customers – it should be removed.”

Senate Bill 107 seeks to create more competition for cable service providers by turning video franchise agreements over to the state, rather than local units of government. No fees were included in the original bill, but at the last moment, the \$1,000 fee was added as a part of a “negotiated” arrangement by the authors. The Assembly bill was amended to include a \$2,000 fee, which may eventually be included in SB 107. Kedzie is concerned as to how the new fee will be used by the Department of Financial Institutions or if it will simply become another slush fund for more government spending.

“So here we go again; creating more fees with no accountability for the use of those funds,” said Kedzie. “It’s time we take a stand against an ever-expanding government and do the right thing for a change; otherwise, it may end up costing rate payers more money and creating yet another pot of ‘mad money’ for government,” Kedzie concluded.

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For Immediate Release

July 16, 2007

Contact: George Twigg, (608) 266-4611 (Mayor's Office)
Rep. Spencer Black, (608) 266-7521

Madison Leaders Point to Video Bill Flaws

MADISON ... Mayor Dave Cieslewicz and Rep. Spencer Black (D-Madison) raised concerns today that a video deregulation legislative proposal would weaken consumer protection, eliminate public access broadcasting and lead to massive utility cabinets that could be placed in homeowners' terraces and yards.

Cieslewicz and Black made their comments at a press conference on the terrace of a Madison homeowner. They were joined by a replica of a video utility cabinet, to illustrate the dramatic impact this equipment would have on Madison neighborhoods.

"I strongly support video competition and lower prices, but not at the expense of consumer protection, public access programming, and some control over where these massive cabinets would be placed," said Cieslewicz. "We already have an effective system in place for regulation of video services, through the local franchising system. Just this year, AT&T negotiated a franchise agreement with Milwaukee, the largest community in the state. This is a perfect illustration of why this poorly-conceived state legislation is not needed."

"AT&T has waged an elaborate and expensive, but fundamentally dishonest, lobbying effort to deregulate cable TV in Wisconsin," said Rep. Spencer Black, author of the state's Cable TV Consumer Protection Law. "This bill, promoted as increasing competition, could well lead to just the opposite result. A little-noted provision in the AT&T bill will remove all oversight over mergers and changes in ownership of the cable franchise. Many mergers in the communications field such as those that this bill will allow without review have limited consumer choice, not enlarged it."

Cieslewicz and Black pointed to three primary flaws with the current version of the video deregulation legislation:

- **Consumer protection:** The proposal would weaken the current Cable TV Consumer Protection Law and would remove all oversight over mergers. Under current law, communities have the right to be informed in advance of a merger or change in ownership of a franchise and to object if the change would hurt consumers. Responsibility for oversight of consumer protection issues would be given to a single



FOR IMMEDIATE RELEASE
July 27, 2007

Contacts: Sen. Jeff Plale (608) 266-7505
Rep. Phil Montgomery (608) 266-5840

To the editor:

There has been a great deal of debate surrounding the Video Competition Act, SB 107/AB 207. One would expect, in fact hope, for debate on an issue of this magnitude, because vigorous debate leads to sound public policy. Unfortunately, when one side chooses to frame the debate with half-truths and inflammatory rhetoric rather than fact, debate can derail rather than improve legislation. The opponents of this bill found they could not prevail through the normal legislative process, so they chose to hijack the debate with misleading claims about the bill. As the authors of this legislation, we are taking the debate back.

Thanks to two lengthy public hearings on the issue and countless meetings with advocates on both sides, improvements have been made.

All consumer protections currently enjoyed by Wisconsin cable customers are maintained. In fact, Wisconsin satellite television consumers, not protected currently under state law, will see a dramatic increase in consumer protection.

Municipalities will maintain the revenue they currently derive from local cable franchise fees. In fact, we expanded the definition of gross revenue so that municipalities who negotiated more lucrative agreements will not lose out. As a result, some local governments will see an increase in revenue.

No new video service provider will be able to haphazardly install equipment in the middle of front yards. In fact, the bill was amended to allow municipalities to pass ordinances related to placement of any equipment necessary to provide video service. Permits can be required, and city approval will still be a necessary step before a company can begin work.

As for the continued cry that this bill will end public access television as we know it, it is nonsense. In fact, the bill requires that channel space be available for this type of programming. What is not required is that video consumers continue to subsidize these channels with their family budgets. It may be the big company that writes the check to "Local Channel 2," but we all know their consumers are the ones who pay the cost on their bill each month. It is time the communities and individuals that value public access television find a new funding source. Most communities will continue to use the franchise fees. Other communities will have to figure out a new funding mechanism.

There is another story that must be told, one that has been lost in the melodrama that has erupted in recent weeks. This legislation is also about jobs and development. Each day Wisconsin waits to pass this legislation is another day that Wisconsin loses ground in job growth. The ability of cable companies to offer phone and internet service has both revolutionized, and at the same debilitated, an industry. For example, a few days ago,

telecommunications giant AT&T was forced to lay-off approximately one hundred of the skilled technicians who service some telephone customers. With the drop in traditional landline customers, there is simply less work for these employees to do.

Passage of this legislation would allow one of Wisconsin's largest employing industries, telecommunications, an opportunity to quickly adapt to a changing market. This means the creation of **new products**, the installation of **new technology** and the need for **new skilled workers**. In anticipation of the passage of this legislation, nearly 300 jobs were created in Milwaukee and the Fox Valley. Indications are that more will be necessary as AT&T works to take its video service statewide. That kind of growth would likely not be possible for telecommunications companies without the ability to offer a new product. Wisconsin has a chance to foster that growth. This legislation is a unique opportunity to take what could be a loss and make it a statewide gain. The state's two largest newspapers agree, we ought not delay progress any more.

We urge the prompt passage of this legislation and look forward to standing next to Governor Doyle as he signs it into law.



Wisconsin Merchants Federation

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OFFICERS

**Chairman of
The Board**
Richard Schepp
Kohl's Department Stores
Menomonee Falls

For Immediate Release
Wednesday, August 1, 2007

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EXECUTIVE STAFF

President/CEO
Chris C. Tackett

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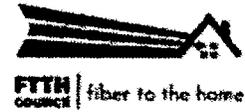
V.P./Operations
Mary C. Kaja

AN OPPORTUNITY FOR ECONOMIC GROWTH

- It is more difficult to "grow" the state's economy on a consistent basis than you might expect.
- Competition to do so comes from a number of sources.
- Economic development is comprised of two, almost equal parts...the retention and creation of jobs, and the retention and creation of investment capital.
- Anytime out state is fortunate enough to have companies wanting to invest their capital, and create jobs in our state, we should take full advantage of it. It might not be well known, but these opportunities do not come along all that often, and when they do, we need to embrace them.
- In this particular situation, in addition to the creation of investment capital, two "positives" are occurring...1) The other "players" currently active in this area, are not fighting this increased level of competition, but in fact seem to be welcoming it, and 2) During my 5 years at the Department of Commerce learned that typically when companies are willing to invest millions in our state's economy, they would come to commerce asking if the state would put together an incentive package to help defray the costs that would be involved. In this case, video providers are not asking for such an incentive package....they simply want a level playing field in their efforts to provide this increased level of competition and service.
- The real fight is not with the other video entertainment providers. The real fight is with time. Any company, regardless of its size, deals in scarce resources...especially financial resources.
- While we still have time to properly "welcome" this new capital and these new jobs to our state, we should do so. It is just a matter of time before Wisconsin becomes less appealing and these new jobs will be created and this new capital will be invested elsewhere.
- The time has come to properly and openly welcome this new economic development opportunity to our state.

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For Immediate Release
Wednesday, August 1, 2007

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Business and Technology Groups Join Call for Video and Cable Competition in Wisconsin

Investment, Jobs, Growth and Technology Upgrades Forecasted for the State if Video Franchise Legislation Enacted

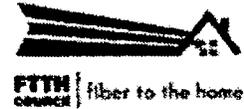
(MADISON) – The Fiber-to-the-Home (FTTH) Council today joined with Wisconsin business and technology groups in urging the enactment of video franchise reform as a way of boosting investment, growth and jobs in the state.

At a press conference in Madison, the FTTH Council joined with Competitive Wisconsin, the Wisconsin Technology Council and the Wisconsin Merchants Federation in calling on the legislature to pass the Video and Cable Competition Act. The bill would ease the entry of new video service providers into the market by creating a statewide cable television franchise to replace the time-consuming and expensive process of negotiating such franchises in each municipality.

“We have seen that a streamlined video franchise process increases competition and lowers cable TV subscriber costs, but we also want to point out that other states which have already enacted this legislation are reaping wider economic rewards,” said Joe Savage, President of the FTTH Council. “In those states, new competitors in the cable TV market are spending a great deal of money upgrading networks and providing more robust internet connections – all of which is good for the local business climate.”

“This is an important bill for the growth of Wisconsin’s economy and for that reason it should be a priority for the legislature to pass it,” said Savage.

Seventeen states, with a combined population of more than half the country, have already enacted video franchise reform, thereby streamlining market entry for companies offering video services that compete with those offered by incumbent cable providers.



According to the FTTH Council, much of this new competition will come from video and data service providers offering much higher internet transmission speeds than are generally available in Wisconsin today.

Tom Cohen, a spokesperson for the FTTH Council, estimated that two of the potential competitors in the video services and Internet service provider market – Verizon and AT&T – are planning to spend upwards of \$30 billion to upgrade their networks so that they can deliver video and very high-speed internet services. “We know they are going to spend it first in states that have cleared the obstacles and thereby lowered the risks to deployment of their upgraded networks,” he said.

Cohen noted that after Missouri – a state with population size similar to Wisconsin – enacted statewide video franchising, AT&T announced that it would spend \$335 million on network upgrades and the rollout of new services. When New Jersey passed its new law, Verizon said it would invest \$1.5 billion to extend its fiber-optic network to homes across that state, he added.

“In virtually every state that has passed this type of law, we are seeing large technology upgrades being planned or deployed,” said Cohen. “I think it’s safe to say that cable TV competition is a major catalyst for these companies to make these risky investments.”

Cohen also pointed to a recent study commissioned by the FTTH Council, which found that video-enabled fiber-to-the-home connections have grown eight times faster in Texas than in the rest of the country after that state’s law was enacted in 2005.

About the Fiber-to-the-Home Council – Now in its sixth year, the Fiber-to-the-Home Council is a non-profit organization established to help its members plan, market, implement and manage FTTH solutions. Council membership includes municipalities, utilities, developers, and traditional and non-traditional service providers, creating a cohesive group to share knowledge and build industry consensus on key issues surrounding fiber to the home. Communities and organizations interested in exploring FTTH options may find information on the FTTH Council web site at www.ftthcouncil.org.

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News Release

For more information, contact:
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AT&T to Invest \$500 Million to Bring New Technology, Video Competition, Expanded DSL to Ohio Consumers

AT&T Files Video Service Application with Ohio Department of Commerce

COLUMBUS, OH — Sept. 24, 2007 — AT&T Inc. (NYSE:T) announced today plans to invest approximately \$500 million during the next several years in fiber network upgrades, further broadband deployment and Internet-based technologies to bring new services, including cutting-edge television, to Ohio consumers.

The investment commitment is the result of the enactment of Ohio Am. Sub. Senate Bill 117, which reformed Ohio's video franchising system and was sponsored by state Sen. Jeff Jacobson. S.B. 117 brings the benefits of video competition to Ohio consumers by establishing statewide uniform standards that streamline the video provider authorization process and encourage competition and new investment.

This landmark investment will also result in AT&T Ohio equipping its remaining 23 wire centers, primarily in rural areas, with broadband technology. When the process is complete, all of AT&T Ohio's 252 wire centers will be DSL-ready and will bring access to high speed Internet service to communities such as Murray City in Hocking County.

Additionally, AT&T Ohio today submitted its application to the Ohio Department of Commerce to obtain state certification to provide video services under the terms of the new video franchise law, which becomes effective today.

The Ohio General Assembly overwhelmingly supported efforts to reform Ohio's cable-franchising system by passing S.B. 117 by large bipartisan majorities in both the Ohio Senate and Ohio House. Gov. Ted Strickland finalized reform efforts by signing the bill into law.

AT&T Announces \$500 Million Investment/add two

"We are anxious to bring advanced technology in video, voice and Internet services to Ohio consumers," said Connie Browning, president, AT&T Ohio. "Governor Strickland, Senator Jacobson and the Ohio General Assembly should be applauded for providing the leadership that will place Ohio on the leading edge of telecom policy reform and result in investment, competition and deployment of new technologies."

According to the Internet Innovation Alliance, increased competition in the video market would result in increased investment across the industry and spur new entrants, contractors, equipment-makers, manufacturers and service-providers to create more than 4,000 jobs in Ohio — many with companies, such as AT&T, with a proud tradition of utilizing union-represented workers.

"Ohio's consumers and businesses stand to benefit greatly from this change," Gov. Ted Strickland said. "It will bring additional investment to our state, resulting in lower costs and more choices for our consumers."

State Sen. Jeff Jacobson added that the legislation was the result of broad-based support and compromise.

"The hard work of my colleagues in the Legislature, as well as the input and cooperation from many interested parties, provided the momentum necessary to enact progressive policies that encourage investment, job creation and competition," said Jacobson. "Ohio consumers are clearly the winners as a result."

In part, AT&T's new technology upgrades will support the delivery of AT&T U-verseSM Internet Protocol (IP)-based television, high speed Internet access and, in the future, Voice over Internet Protocol (VoIP) services.

AT&T U-verse TV and Internet services are currently available in communities throughout AT&T territory — including in the Cleveland and Akron metro areas — with plans to continue expanding to additional markets. The company recently announced that its revolutionary AT&T U-verse TV offering has surpassed 100,000 subscribers; that marks another significant milestone for the nation's largest deployment of IP-based television (IPTV) service.

AT&T Announces \$500 Million Investment/add three

Today's \$500 million investment announcement follows recently announced plans for AT&T to complete more than \$65 million in wireless network improvements across Ohio this year, which will bring AT&T's wireless investment in Ohio to more than \$313 million since the beginning of 2006.

Note: This AT&T release and other news announcements are available as part of an RSS feed at www.att.com/rss.

Find More Information Online:

Web Site Links:

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[AT&T U-verse Web Site](#)
[U-connect Web Site](#)
[Sub. Senate Bill 117](#)

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Technorati Tags: [AT&T](#), [IPTV](#), [U-verse](#), [High Speed Internet](#), [Ohio](#), [SB 117](#), [VoIP](#)

Cautionary Language Concerning Forward-Looking Statements

Information set forth in this press release contains forward-looking statements that are subject to risks and uncertainties, and actual results might differ materially. A discussion of factors that may affect future results is contained in AT&T's filings with the Securities and Exchange Commission. AT&T disclaims any obligation to update and revise statements contained in this document based on new information or otherwise.

About AT&T

AT&T Inc. (NYSE:T) is a premier communications holding company. Its subsidiaries and affiliates, AT&T operating companies, are the providers of AT&T services in the United States and around the world. Among their offerings are the world's most advanced IP-based business communications services and the nation's leading wireless, high speed Internet access and voice services. In domestic markets, AT&T is known for the directory publishing and advertising sales leadership of its Yellow Pages and YELLOWPAGES.COM organizations, and the AT&T brand is licensed to innovators in such fields as communications equipment. As part of its three-screen integration strategy, AT&T is expanding its TV entertainment offerings. Additional information about AT&T Inc. and the products and services provided by AT&T subsidiaries and affiliates is available at <http://www.att.com>.

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