

**OPEN VIDEO
SYSTEM
NOTICE
OF INTENT**

**ATTENTION:
MEDIA BUREAU**

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Pembroke Advanced Communications, Inc.) File No. _____
)
Notice of Intent to Establish)
An Open Video System)

NOTICE OF INTENT TO ESTABLISH AN OPEN VIDEO SYSTEM

Pembroke Advanced Communications, Inc. (Pembroke), pursuant to Section 76.1503(b)(1) of the Commission's Rules, hereby submits its Notice of Intent to establish an Open Video System (OVS). As required by section 76.1503(b)(1), Pembroke respectfully submits the following information:

1. **OVS Operator.** The name, address and telephone number of the OVS Operator is Pembroke Advanced Communications, Inc., 185 East Bacon Street, Pembroke, Georgia, 31321. The contact person is James Reeves, Operations Manager. James Reeves can be reached by mail at the above street address, by telephone at (912) 653-4389, and by facsimile at (912) 653-2929.

2. **Projected Service Area.** Pembroke's projected additional OVS service area encompasses the City of Pembroke, Georgia and Bryan County, Georgia. Pembroke currently does not provide OVS service. Pembroke is likely to request additional certification from the Federal Communications Commission during the next several years to expand its OVS service area.

3. **Projected Channel Capacity.** Pembroke is providing OVS service over telephone lines via the Minerva platform. This is essentially a switched digital service, wherein the programming services are situated in a server and each customer can select up to three programming services at any given moment. Pembroke anticipates that it will have available as many as 80 channel input ports.

4. **Carriage Applications and Inquiries.** Potential video programming providers interested in carriage on Pembroke's open video system may obtain additional information about the system by completing the attached OVS Information Request Form (Attachment 1) and mailing it to James Reeves at Pembroke Advanced Communications, Inc., 185 East Bacon Street, Pembroke, Georgia 31321. If a potential video program provider has questions concerning the completion of this form, James Reeves can be reached by telephone at (912) 653-4389.

Pursuant to Section 76.1503(b)(2) of the Commission's Rules, Pembroke will provide a potential video programming provider with additional information regarding the OVS system within five (5) business days after Pembroke's receipt by mail of a completed OVS Information Request Form. The potential video programming provider will be furnished at that time with additional information regarding carriage on Pembroke's OVS system. This information will include application forms that must be completed, technical information, equipment requirements, rate estimates, application fees and reservation deposits, and qualification requirements.

5. **Initial Enrollment Period.** The initial enrollment period for video programming providers seeking carriage on Pembroke's OVS system will commence on the date the FCC issues a Public Notice of the filing of this Notice of Intent and end ninety days thereafter.

6. **Allocation of Capacity.** Pembroke does not expect to experience any capacity constraints on its OVS system. If the aggregate capacity needs of (a) local commercial and non-commercial television stations carried pursuant to Section 76.1506 of the Commission's Rules, (b) public, educational and governmental (PEG) access channels furnished pursuant to Section 76.1505 of the Commission's Rules, (c) Pembroke and its affiliates, and (d) unaffiliated video programming providers exceed the actual capacity of Pembroke's OVS system, then Pembroke and its affiliates will not select the video programming services for carriage on more than one-third of the activated channel capacity of the OVS system. If aggregate capacity needs exceed actual OVS system capacity, unaffiliated video programming providers will be offered portions of the residual capacity (after local television stations, PEG access channels and Pembroke's one-third share are accommodated) on the following basis: each unaffiliated video programming provider will be offered an equal proportionate amount of its requested capacity.

7. **Notification Requirements.** Pembroke has complied with all relevant notification requirements under Section 76.1506 of the Commission's open video system regulations concerning must-carry and retransmission consent. A list of all local commercial and non-commercial television stations served is included as Attachment 2. Also included is a Certificate of Service showing that the present Notice of Intent has been served on all local cable franchising authorities entitled to establish requirements concerning the designation of channels for public, educational and governmental use.

Respectfully submitted,
PEMBROKE ADVANCED COMMUNICATIONS, INC.

By _____
James Reeves

Operations Manager
Pembroke Advanced Communications, Inc.
185 East Bacon Street
Pembroke, Georgia 31321
Phone: (912) 653-4389
Fax: (912) 653-2929

Dated: September 5, 2002

**PEMBROKE ADVANCED COMMUNICATIONS, INC.
OPEN VIDEO SYSTEM INFORMATION REQUEST FORM**

SECTION I: Identification of Potential Video Programming Provider

Name of Entity: _____

Address of Entity: _____

Name of Contact Person: _____

Telephone No.: _____

Facsimile No.: _____

SECTION II: Carriage Information

Total amount of capacity requested: _____ channels

SECTION III: Certification and Non-Disclosure Statement

The undersigned video programming provider (VPP) represents that it has the right under the Copyright Laws to select and contract for carriage of specific video programming on the Pembroke open video system, and that it has no formal or informal affiliation (as defined by Section 76.1500(g) of the FCC Rules) or agreement with any other VPP requesting capacity or with any cable operator providing cable television services within Pembroke's open video system service area, and that the capacity requested will be used only for the commercial operation of a video program distribution service. The VPP and its affiliates, employees and agents agree not to disclose to any other party the information provided by Pembroke in response to this request, except for information that was previously in the public domain and except as provided in Section 76.1513(j) of the FCC Rules, and that they will not use the information for any purpose whatsoever other than making an informed decision as to whether to enroll in Pembroke's open video system and the subsequent activation of such enrollment, if any.

Signature

Printed Name and Title

Date _____

Please mail to:
James Reeves
Pembroke Advanced Communications, Inc.
185 East Bacon Street
Pembroke, Georgia 31321

CERTIFICATION

I, James Reeves, hereby certify that on or before this 5th day of September, 2002, I caused must-carry-retransmission consent election notification by US mail to all commercial and noncommercial television stations operating within Pembroke Advanced Communications, Inc. open video system service area, as indicated by the attached service list.

James Reeves
Operations Manager
Pembroke Advanced Communications, Inc.
185 East Bacon Street
Pembroke, Georgia 31321

Letter to Local TV Station

Dear (TV Station Manager):

Please allow this letter to serve as notice that Pembroke Advanced Communications, Inc. (Pembroke) will be operating an open video system in the Pembroke service area. The new system is scheduled to begin operations this year. It is our intention to carry your station.

Federal Communications Commission regulations (§76.1506) require that we provide this notice and that you, in turn, notify us of your station's request for carriage and channel position. All video programming providers on Pembroke's open video system will be notified of your decision.

We ask that you notify us in writing within thirty (30) days of this letter of your election of must carry status or of your intent to enter into a retransmission consent agreement. Please make all notifications to:

James Reeves
Operations Manager
Pembroke Advanced Communications, Inc.
185 East Bacon Street
Pembroke, Georgia 31321

Sincerely,

James Reeves
Operations Manager
Pembroke Advanced Communications, Inc.

**NAMES AND ADDRESSES OF LOCAL
COMMERCIAL AND NON-COMMERCIAL TELEVISION STATIONS SERVED**

WVAN Public Broadcasting Station
86 Vandiver Street
Pembroke, Georgia 31321

WSAV – TV NBC 3
1430 East Victory Drive
Savannah, Georgia 31404

WJCL – TV ABC 22
10001 Abercorn Street
Savannah, Georgia 31406

WTGS – FOX 28
10001 Abercorn Street
Savannah, Georgia 31406

WTOC – CBS
P.O. Box 8086
Savannah, Georgia 31412

WGSA – UPN TV 34
East Jekyll Road
Baxley, Georgia 31513

Local Government Letter

Dear City Administrator:

Please allow this letter to serve as notice that Pembroke Advanced Communications, Inc. has filed with the FCC for an Open Video System Certification. It is our intent to directly compete with the local incumbent video provider.

Pursuant to FCC regulations (§76.1506) we also intend to make available to the City the use of capacity of public, educational, and governmental programming, should the City desire.

Please provide written notice 30 days in advance of the City's intended use of the public, educational and governmental channel capacity. Please make all notifications to:

James Reeves
Operations Manager
Pembroke Advanced Communications, Inc.
185 East Bacon Street
Pembroke, Georgia 31321

Sincerely,

James Reeves
Operations Manager
Pembroke Advanced Communications, Inc.

CERTIFICATE OF SERVICE

I, James Reeves, an employee with Pembroke Advanced Communications, Inc., hereby certify that I mailed on this 5th day of September, 2002, the foregoing NOTICE OF INTENT TO ESTABLISH AN OPEN VIDEO SYSTEM by first class U.S. mail, postage prepaid, to the following city and town clerks of the local cable franchising authorities within Pembroke Advanced Communications, Inc.'s certified open video system area:

Betty Hill, City Clerk
City of Pembroke
P.O. Box 130
160 North Main Street
Pembroke, Georgia 31321

Donna Waters, Clerk
Bryan County
P.O. Box 430
116 Lanier Street
Pembroke, Georgia 31321

James Reeves