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Chairman Lawrence, Chairman Berry and Members of the Energy, Utilities and Technology Committee,

The Office of the Public Advocate (“OPA”) testifies neither for nor against LD 832 “An Act To Expand Options for Consumers of Cable Television in Purchasing Individual Channels and Programs” which bill requires that cable television system operators offer subscribers the option of purchasing access to cable channels or programs on cable channels individually.

It is the experience of the OPA that a great deal of consumers experience a high level of frustration with their cable providers. They feel that they lack choices and being able to select the channels they want and not have to pay for channels they do not watch and do not want would be highly favorable.

This frustration and discontent results from the overall issues involving cable service in Maine. The current system relies on municipalities having franchise agreements with the cable companies, many of which go back many years and are quite restrictive of consumer choice. Cable companies enjoy monopoly power due to these franchise agreements.

The OPA supports consumer choice and appreciates customer’s frustration with not being able to choose and pay only for certain channels they actually watch. LD 832 would go a long way in an attempt to remedy the lack of consumer choice in the cable marketplace in Maine.

But, a serious impediment to legislation that involves cable companies is that to

the extent cable is regulated, it is at the federal level. The cable companies have been very effective in arguing that efforts to legislate at the state level are preempted by federal law.

Thank you for your time, attention and consideration of this testimony. The Office of the Public Advocate looks forward to working with the Committee on LD 832, and will be present at the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,



Barry J. Hobbins
Public Advocate