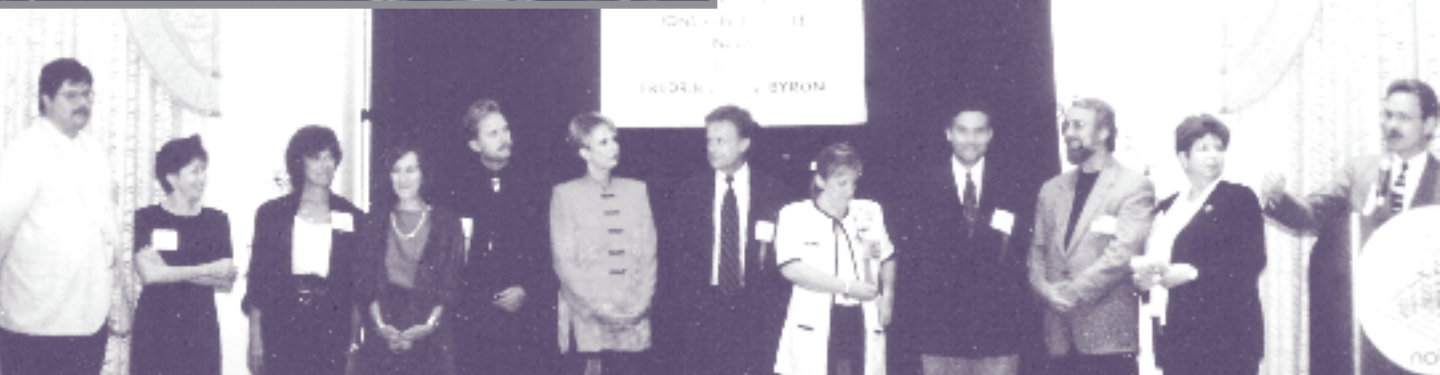
A large, faint, light-colored image of the United States Capitol building dome is centered in the background, serving as a backdrop for the title text.

NATOA'S *History*

*25 Years of
Communications
Leadership*

NATIONAL ASSOCIATION OF
TELECOMMUNICATIONS
OFFICERS AND ADVISORS



1979–1980

The Early Beginnings

According to Frank Greif, NATOA's first president and then Director of the Seattle Office of Cable Communications, this really all started at a U.S. Conference of Mayors meeting in Seattle, WA, during 1979. Several people from around the country who either regulated or programmed cable did a national telecast of the event using cable. It became apparent that many cities didn't understand the importance of this new way of communicating. It was obvious the cities had much to learn about the industry and the responsibilities of local government. This initial get-together led to these early participants meeting each other at other national conferences and to discussions about the need for 'some sort of organization to educate the cities and to develop political power.'

At this same time, Seattle Mayor Charles Royer began to move up the NLC organizational ladder and served as Chair of the NLC Task Force on Cable Television and Telecommunications. As cable grew in importance on the NLC agenda, Greif was encouraged to work toward the development of a formal organization. In the summer of 1980, he began contacting those cable administrators known to him and suggested that they meet that fall at Barry Orton's University of Wisconsin conference in Madison, WI. At that October 26-28 conference, co-sponsored by the National Federation of Local Cable Programmers, NATOA was born!

Frank says today, "I'll never forget standing up on a chair at the back of the room just as the final session closed. I asked all those interested in forming a national association to meet briefly. Many had to leave to catch planes home, but many stayed. In all, forty-seven people signed on and a steering committee of fifteen was formed to get things started." From that group, an executive committee was formed which included:

Frank Greif, Seattle, WA
Terry Parker, Phoenix, AZ
Scott Spaine, Arlington County, VA
Ruth Ann McKinney, Fort Worth, TX
Linda Camp, St. Paul, MN
Marv Rimmerman, Baltimore, MD

Barry Orton also remembers that Jean Rice played an important role at this meeting and that Susan McAdams (later NATOA's first Secretariat) and Bill Drake of the NLC helped guide this early group.

It appears that NATOA's original name was Association of Cable Regulators (ACR). This name was circulated by Greif with the original proposal for an organization. After some other suggestions, including those from Carder Hunt (Scottsdale, AZ) of: National Association of Telecommunications Officers (NATO); Cable Regulatory Officers Club (CROC); and, Public Officials for Telecommunications (POT), NATOA was chosen.

University of Wisconsin Professor (and NATOA Charter Member) Barry Orton published his national survey about "Municipal Telecommunications Officers" in advance of NATOA's first conference which found, in part, "...a growing trend (in municipal governments) toward hiring specialists with professional experience and training in communications planning and policy making." He goes on to note, "These early municipal telecommunications officers created pathways for the subsequent professionalism of local regulation of cable communications." Barry's initial survey in 1981, and his follow-up in 1985 titled, "A Profession Matures" documents the rapid growth and evolution of our profession. In 1990, Dr. Connie Book (currently at Elon University) published a more extensive follow-up survey of our trade.

1981 NATOA Formed

Following the Madison Conference the organizational activity centered around the steering committee's executive group. In May 1981, the NLC Board approved NATOA's affiliation, as well as authorized staffer Susan McAdams to serve as the League-funded Secretariat (Administrative Officer) for NATOA. It is interesting to note that some consideration was also given to an affiliation with The Association of Public-Safety Communications Officers (APCO), as an effort by some members to not be too closely tied to only one organization. Marv Rimmerman, Baltimore, MD, was instrumental in obtaining the NLC affiliation and originally suggested the APCO relationship.



Planning also began for the first NATOA Conference in Boulder, CO, October 21-23, 1981. The theme was "The Role of the Local Cable Communications Officer," with about 125 people attending. A major national issue during this time was the TCI/Boulder case which resulted in the Supreme Court's Boulder II decision in 1982.

One particular Plenary Session topic at the conference was entitled, "Your Job and Its Future: Is There a Need for a Local Regulatory Officer?" which featured an "anti-trust" debate between Denver City Councilor Cathy Reynolds and TCI's attorney, Harold Farrow! The first NATOA Board of Directors was also elected at the conference with Frank Greif as first President and official NATOA membership efforts began.

NATOA members who attended the Boulder Conference are considered to be the Charter Members of NATOA—only a handful of current members can claim that historic distinction.

During the Reynolds-Farrow debate, Harold said to the assembled membership, "the first thing I want you to do when you get home, you get the Penal Code and you look up the definition of extortion because that's the business you're in." Thanks Harold for those words of encouragement as we entered our new profession!

1982

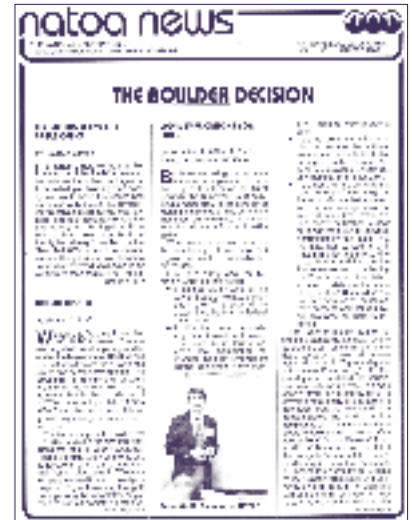
Bylaws/Cable Legislation/Seattle Conference

Following the successful Boulder Conference, work began on the NATOA Bylaws. The first NATOA News was also published in January 1982, featuring the Boulder II decision.

The first of many cable bills, S. 2172, was also introduced by Senator Barry Goldwater. This bill would be followed by S. 898 in 1983, and finally by S. 66 in 1984.

The Seattle Conference, September 20-22, was titled, "Telecommunications: Managing in the Public Interest." The primary concern of this conference was the result of the Boulder Decision and the pending cable legislation. The first NATOA Bylaws were also debated and approved by the membership. Attendees were treated to a traditional NW Indian Salmon Bake on Blake Island in Puget Sound. Total NATOA membership was now over 200.

Susan McAdams left the NLC during the year and was replaced by Brian Helvey as Secretariat—she was named as NATOA's first "honorary member" (later changed to Life Member).



In the early days, the membership was so small you knew just about everyone by their first name!

1983

Cable Legislation Negotiations/NATOA Board and President Resigns

Early in the year, the NLC (now headed by Charles Royer) and the U.S. Conference of Mayors, at the request of Congress, began negotiating with the National Cable Television Association (NCTA) to develop compromise cable legislation for S. 66. These talks went on for many weeks and involved some members of NATOA as technical advisors. In the middle of the talks, Frank Greif, NATOA President, unexpectedly resigned and Linda Camp was elected as the new President. When the results of the NLC/NCTA Compromise were finally made public, NATOA members and local government officials were angry. They felt as if they had been betrayed by the NLC Board. That Board quickly approved the NLC/NCTA Compromise without comment from NATOA or member local governments. Later that year, the Senate passed S. 66, based on the NLC/NCTA Compromise language.

Hard feelings about the NLC action in the spring erupted at the Baltimore Conference in October, ironically titled, “Building for the Future: Telecommunications Use and Management.” Many members (including most of the Board) wanted to disaffiliate with the NLC and have NATOA become independent. The entire Board of Directors (except for Linda Camp) eventually resigned during one business meeting over the NLC compromise (which eventually led to the Cable Act of 1984). An entire new Board of Directors was elected. New President John Hansman (Montgomery County, MD) succeeded Linda Camp.

Following the conference, and with pressure from NATOA and member cities, the NLC modified its position on the compromise and passed a resolution seeking changes in the legislation. However, in spite of these 11th hour efforts, the legislation later became law as the Cable Act of 1984. NATOA membership now tops 300.

The Baltimore Conference could have been the end of NATOA as an organization. However, in many ways, it was its rebirth; it also started members thinking that one day, NATOA would be independent, as it is today!

1984 *Cable Communications Policy Act and the Future of Cable Regulation*

The first NATOA chapters recognized as affiliates were Illinois, Washington, Florida, Michigan, Washington-Baltimore Metro Area, and Mountain States (CO, AZ, NM, UT and WY). Other chapters seeking affiliation included Southern California, Ohio, Oregon, Northern California, Massachusetts, Minnesota, Texas, New York/New Jersey, Wisconsin, North Carolina, Pennsylvania, and Georgia. The Washington and Oregon NATOA chapters hosted the first NATOA Regional Conference in Portland, Oregon in August.

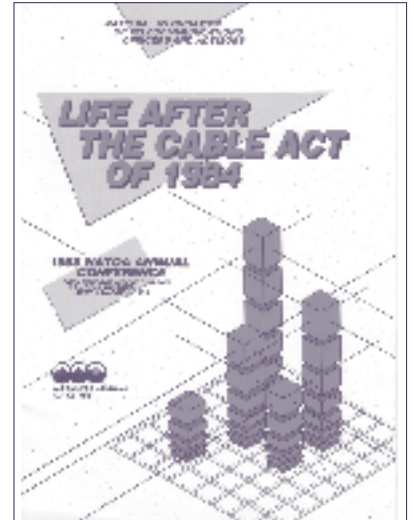
In September 1984, the Cable Communications Policy Act became law. In the same month, our national conference, titled “Moving Forward: The Changing Landscape of Local Telecommunications” was held in Tucson, Arizona. The conference centered on how cable officers and local government officials could learn to live under the new Cable Act. Many lively discussions were held around how the FCC would define effective competition and technical standards for cable. Also, in 1984, the first in a series of post-Cable Act litigations was filed with *Preferred v. The City of Los Angeles*.

Sure enough, no sooner had the Cable Act become the law of the land, litigation began to re-define it—a process that continues to this day. As a result, a common NATOA member refrain for many years has been, “In my profession, I’m only one legislative or court decision away from losing my job!”

1985

NATOA's Fifth Anniversary

NATOA's fifth anniversary was celebrated in St. Louis with the theme of "Life After the Cable Act." Bill Bradley (Denver, CO) was elected as NATOA's fourth president. This conference also hosted the first Joe Laposa Open Golf Tournament and the first member door prize give-away, hosted by Donna Wilmer, Dekalb County, Georgia. The City of St. Louis also hosted many members at a fabulous dinner at Favazza's Italian Restaurant on the "Hill." Many also attended St. Louis Cardinals games at Busch Stadium—tickets prices in 1985, \$3-\$9 dollars! A baseball themed luncheon featured baseball great Stan Musial, who also signed autographs. Cable attorney, Harold Farrow, made a return visit to the conference still characterizing us as "extortionists" (see 1981).



During 1985, the FCC deregulation of cable technical standards and its decision on effective competition were immediately challenged by NATOA, the NLC and several member cities in court. The Preferred decision was finally made by the Federal Court and was under appeal. However, at the same time, the Erie, Pennsylvania decision reaffirmed local government rights in cable. Many other challenges to local government authority became the topics of the day. Catharine Rice became the new NATOA Secretariat. NATOA membership tops 400.

Georgian, Donna Wilmer's door prize give-away was created as our welcome to new conference attendees. Members were asked to bring small gifts from their local area to exchange. People brought such gifts as: wine (CA); cheese (WI); Markers Mark Whiskey (KY); smoked salmon (WA/OR); theater tickets (NY); and, cases of beer (MO). People took numbers and won these gifts (all I ever won was a hat from the police dept. in Iowa). The gift exchange continued for many years, but was later converted into a raffle of the gifts to raise funds for NATOA's legal/policy initiatives—Harry "Hap" Haasch (Ann Arbor, MI) served as the perennial MC of that event.

1986

A Year of Firsts

The Philadelphia Conference had many firsts. They included the first member of the year award—Brother Richard Emenecker (Pittsburgh, PA); first government programming awards hosted by Brian Lamb, C-SPAN; and the first pre-conference training seminars for new cable officers (now called Primers). The City treated members to a reception at the Philadelphia Zoo with transportation provided via trolley car.

Major conference topics included continued rulemakings by the FCC and industry legal challenges, both resulting from the passage of the Cable Act. These controversies eventually lead to Congressional "oversight hearings" in the next year. General local government rate regulation authority expired on December 30, 1986, resulting in the first significant increases in cable rates in many cities.

Donna Mason, Marc Pease, and Jeff Peel were some of the key members instrumental in organizing the first Government Programming Awards Gala -- Bob Thomas also "scored a coup" by getting C-SPAN's Brian Lamp to be the first host. The Philly Conference was also the first, and only time, that NATOA produced a souvenir poster for each attendee (a few still exist on the walls of cable offices—a future E-Bay or Antiques Road Show item?).

NATOA Life Member Richard Emenecker (who's no longer a brother and who is currently employed by Comcast), has a unique nickname known only to a few close NATOA friends—also, ask him, what ever happened to his Armadillo?)

1987 *Cable Act Reviewed*

Congressional “oversight hearings” allowed local governments, consumer groups, and others to voice concerns about cable and the effects of the Act. These hearings led to cable re-regulation efforts which eventually resulted in the 1992 Cable Act amendments. The term “broadband” was first applied to cable technology about this time.

The Milwaukee Conference theme was “Telecommunications ‘87: Options and Opportunities.” Donna Mason (Vancouver, WA) was elected President and Jayne Gerdeman (Covington, KY) was chosen as Member of the Year.

The FCC also allowed GTE to experiment with cable in Cerritos, California, opening the door to the current Telco/fiber optics debate.

New NATOA President, Donna Mason, invited a number of national communication's leaders to the conference who competed for NATOA's attention including Jack Valenti, CEO, Motion Picture Assn. of America; James Mooney, CEO, NCTA; Preston Padden, President, Independent Television Assn. and Ward White, VP, USTA. Each sought NATOA's favor as a result of the FCC's oversight hearings on such topics as cable monopolies, retransmission consent, and Telco entry into cable.

1988 *Hot Topics in the Tropics*

The first NATOA satellite teleconference from Torrance, California highlighted that regional conference. 1988's Miami Beach Conference was titled “Hot Topics in Telecommunications” and represented one of the larger turnouts for attendance as members were drawn to the beach at the beautiful Doral Hotel. The conference will also be remembered for the fabulous opening reception at Miami-Dade County's Vizcaya estate on Biscayne Bay.



Heavy competition between the cable industry and phone companies for NATOA's attention also dominated this conference. Syndicated exclusivity also became a battle ground between local broadcasters and cable, a battle that eventually went all the way to the Supreme Court for resolution.

Bruce Crest (Beaverton, OR) was chosen as Member of the Year. Paul Berra (St. Louis, MO) was elected President. NATOA membership is at 450.

1989 *Telcos and Cable*

The year 1989 saw the beginnings of the movement to re-regulate cable as consumer prices soared and customer service levels fell nationwide. Telcos, lead by companies such as Bell Atlantic, Ameritech, and Bell South, pushed hard for entry rights into the cable business. The NLC and NATOA took positions supporting Telco entry under the same rules as cable. The topic of "Vertical Integration"—ownership of both program networks and cable systems, also became a major concern. The Scottsdale Conference, with the theme "New Visions on the Telecommunications Horizon" highlighted the growth of new cable technologies. Joe Laposa (St. Louis, MO) was selected as Member of the Year.

Although Joe Laposa made a number of contributions to NATOA to earn his Member of the Year Award, he will probably be most remembered for NATOA's only "sporting event" the Joe Laposa Open Golf Tournament. Joe doesn't actually play golf, but we understand he loved to drive the "refreshment" golf cart around the course. One time the Board foolishly tried to change the name of "Joe's Tournament" which so outraged some of the membership, that they voted to forever call the event the Joe Laposa Open.

NATOA/NCTA also began joint discussions on technical standards for cable. NATOA suggested cable legislation language, developed a legislative priority statement and urged members to contact Congress on cable issues. Cynthia Pols, legislative council for the NLC and active on NATOA issues since 1979, left the NLC in June. Catharine Rice, NATOA Secretariat, also left the NLC in November. Nancy Hiatt temporarily fulfilled NATOA administrative responsibilities. Membership held at 450.

Everyone was our friend at this conference—especially Telcos and cable operators! This was the Telcos first failed "experiment" into the cable biz—only time will tell whether their current efforts will be any more successful.

1990

Celebrating a Decade of Service

In 1990 Congress came close to passing new cable legislation, but Senate Bill 1880 failed to pass the Senate in the last hours of the session. The FCC tried to assert more power by producing its own 'report card' on cable and announced plans to revisit the effective competition issue. NATOA and the NLC reached a new accord with a better understanding of their respective roles.

The annual conference in Dearborn, with the theme of "Celebrating a Decade of Service," highlighted NATOA's 10th Birthday with special recognition of charter members and a lot of stories about 'the old days' of cable regulation. Members voted for a dues increase to support a new federal relations effort by NATOA. Cheryl Pasalic was chosen Member of the Year. Susan Herman was elected NATOA President. Membership reaches 460.

To celebrate this special anniversary, Donna Mason, conference chair, asked Barbara Rutherford Crest to design a new conference program (previously the "program" was just sheets of paper stapled together). From this effort, the Official NATOA Conference Program you know today was born. Barbara produced her last NATOA program in 1996, after that it became a NATOA staff function.

1991

Into a New Decade of Change

Cable legislation resurfaced in S. 12 with surprising regard for the rights of consumers and local governments and a blast from broadcasters. NATOA issued the results of a survey of its members representing nearly one quarter of the nation's cable subscribers. The survey clearly demonstrated that localities do not stymie competition; that rates have soared and consumers' complaints were on the rise. As a result of the issuance of new 'effective competition' standards by the FCC, NATOA led a press conference with some members of Congress, consumer groups and local governments (NLC, USCM, NACO) to call for more effective, consumer-friendly standards. The FCC also called for a revisit of cable technical standards and led a consortium of localities in negotiations with the NCTA on new technical standards. Judge Greene lifted the ban on Telco entry into information services. NATOA hired its first federal relations counsel with Arnold & Porter.



NATOA was able to "Chart an Ocean of Change" at the 11th Annual Conference in Anaheim, CA, where Jonathan Kramer was named Member of the Year, and MACTA (Minnesota Association of Cable Television Administrators) received the first President's Award for Chapter of the Year. Attendees also made a special evening visit to Disneyland for several hours of exclusive rides. With membership soaring to almost 500, Vicki Williams was hired as NATOA Administrative Officer.

It's rumored that Vicki Williams, NATOA's Administrative Officer for less than one year, threw away all of NATOA historical records during a move to new offices!

1992

A Stampede for Consumers and Telecommunications

With the overwhelming passage of S. 12 in January and the companion House Bill 4850 in July, this year truly became the Year of the Cable Consumer. In June, NATOA led the way with the National League of Cities, the US Conference of Mayors, the National Association of Counties, the Consumer Federation of America and other organizations in declaring 'Cable Consumer Protection Month.' NATOA continued to lead the consortium of government and consumer organizations in filings before the courts and the FCC on vital issues such as effective competition, video dialtone and landmark First Amendment challenges. To keep members better informed of all of these important, rapid-fire changes, NATOA launched a new NATOA NEWS FLASH, a monthly update of issues and late-breaking events, and redesigned the quarterly NATOA NEWS. In another victory for cable TV viewers, NATOA proudly watched the FCC adopt the technical standards that NATOA had negotiated with the National Cable Television Association. In August, jointly-sponsored training sessions for the cable industry and local governments were conducted across the country to prepare for the implementation of these new and improved standards.



The 12th Annual Conference, a “Telecommunications Round Up,” was held in Irving, Texas and took on the Texas-size job of lassoing the many issues in telecommunications -- from cable to Telco entry, video dialtone, personal communications systems and fiber optic urban loops. At this conference NATOA members met and welcomed our new Administrative Officer, Renee Winsky, who actually joined us several months earlier. David Olson was elected NATOA President and Janet Quigley was selected as NATOA Member of the Year.

As the annual conference concluded, word reached us that the House/Senate Conference Committee had reached agreement on compromise cable legislation. Larry Irving, House Telecommunications Committee staffer and Bill Cook of Arnold & Porter, rushed to the conference to brief us on the details.

Following the Irving Conference, the new compromise bill, S. 12, was passed by both houses with slim, but with what appeared to be ‘veto-proof’ margins. Unfortunately, President Bush decided to not recognize the important consumer aspects of S. 12 as he exercised his veto of the legislation. However, after intense lobbying by a coalition of local government groups led by NATOA, as well as a host of other supporters, both houses, on October 5, overrode the President’s veto (the first of his administration) and S. 12, the “Cable Television Consumer Protection and Competition Act of 1992,” was enacted.

Without even a few moments to savor our victory, NATOA immediately began preparing for the all-important FCC rule-making proceedings that would ultimately define major portions of the new law.

It has long been rumored that our Irving Conference "welcome reception" entertainment was by non-other than the "Dixie Chicks" at that time a local group trying to make it big. The western themed NATOA Programming Awards video will also go down as one of the best ever produced, thanks to the efforts of NATOA Charter Member Patty Landers and long-time member Brenda Trainor.

1993 *Telecommunications Magic*

1993 opened with NATOA in the midst of several critical FCC filing deadlines. Although NATOA's (and our members) presence was felt in most rule-making proceedings, special emphasis was placed on our efforts to influence the development of FCC rate regulation rules and national cable customer service standards.

Our efforts were rewarded with the establishment of a strong set of national customer service standards to be enforced at the local level. These standards created the means to provide all cable consumers with uniform protection of their rights.

The FCC also issued, in May, a surprisingly complex set of rules and procedures governing the regulation of cable rates, as well as froze those rates for several months until the rate regulation process could begin. The FCC predicted that its new rules would provide a 10% rate reduction, on average, for 70% of cable subscribers nationwide. Unfortunately, much of the initial public optimism over these new rules was lost with the confusion caused by the FCC's changing implementation dates and their 500 pages of rate regulation rules.

NATOA also argued in Federal Court on behalf of cable consumers and local governments in several court cases including those challenging 'must carry' and local governments' right to franchise cable.

During these lengthy legislative and court processes, NATOA was recognized as a national leader and spokesperson for local governments and cable consumers. NATOA's commitment to training in 1993 was also redoubled with a record-breaking seven regional conferences/seminars held across the country with NATOA sponsorship or support.

The 13th Annual NATOA Conference, "Telecommunications Magic," was held in Orlando, Florida, September 8-12. A record-breaking 500 conference attendees gathered and learned about their new regulatory roles, the emerging 'information revolution' promised by cable (as well as by the Telcos), and their role in shaping it. To lead us, the members also selected Bill Squadron (New York City) as President. The President's Award for Chapter Excellence was given to the Southern California Chapter. Following the conference, NATOA continued its active educational role by encouraging local governments to become certified for rate regulation, as well as to adopt federally prescribed customer service standards. However, several extensions of the rate freeze and constant changes to rate rules by the FCC cast doubt on whether the rate review process would provide consumers the relief envisioned with the 1992 Cable Act.



The ill-fated TCI/Bell Atlantic merger dominated world headlines in October and caused a ripple effect across the country for the rest of 1993 and into 1994. Talk of the 'information superhighway' and the Clinton Administration's 'telecommunications agenda' appeared in every form of the media. This 'technology frenzy,' coupled with hard lobbying by telecommunications providers and Congress' desire to reclaim its policy-making role from the judiciary, resulted in calls for the complete deregulation of the telecommunications industry. NATOA, along with the NLC, USCM, and NACO continued their coalition efforts through an education campaign directed at legislators seeking to preserve the rights of local governments to control the public-right-of-way.

Orlando was the last "City Sponsor" of NATOA. Up until 1993, League member cities were asked to sponsor NATOA's conferences which required a considerable investment of staff time and the financial sponsorship of the conference's opening reception. Some of these gala events involved receptions at: the Philly Zoo, The Henry Ford Museum (Dearborn, MI), The Milwaukee Art Museum, (Seattle, WA) Blake Island Indian Salmon Roast (Seattle, WA), Pleasure Island at Disney World (Orlando, FL), etc. Conferences following Orlando were usually booked through competitive hotel RFP bidding processes.

1994 *Telecommunications Bonanza or Bust?*

The new year dawned with serious federal legislative efforts underway to deregulate the telecommunications industry without proper recognition of local government's role in protecting the public right-of-way. The local government coalition, with NATOA leading the charge, once again began early efforts to change and influence the direction of the legislation. However, in spite of all our efforts, legislation that would seriously affect local governments' rights to franchise cable and protect the public continued to move rapidly through Congress. The House passed HR 3636 in June by an overwhelming majority, and the Senate Commerce Committee in August sent forward for full Senate consideration an amended S. 1822, which appeared to be even more negative towards local governments than HR 3636. However, S. 1822 met an unceremonious end as the 'Baby Bells' withdrew their support of the legislation and it was declared 'dead' by the Senate leadership for 1994.

In spite of the negative legislative front, NATOA continued its member education efforts, holding a regional conference in Indianapolis in January. The conference centered around the rapidly changing telecommunications environment, especially in the area of telephone/cable convergence. NATOA was also active in providing the membership with information about various FCC rulings and rate regulation decisions. To that end, NATOA established a special FCC task force headed by David Hankin (City of Los Angeles – now with RCN) to meet and work with the FCC on issues affecting local governments. NATOA also continued to file comments in various FCC regulatory dockets.



In preparation for the changing telecommunications and regulatory environment, NATOA held its first strategic planning session in Denver in March. NATOA Board members and others met for two days in a facilitated session to map out a future plan for NATOA. That plan was presented to the membership at the Reno/Sparks Conference for consideration and the membership authorized the appointment of a special task force to explore various future NATOA management models and to bring their recommendations back to the Board and membership in early 1995.

Our NATOA leadership also changed during the year as NATOA President Bill Squadron and Board Member Tom Robinson resigned from the Board due to job change conflicts. Vice President Susan Littlefield became President of NATOA in May and Patty Landers (Irving, TX) and Eileen Huggard (New York City) were appointed to fill the open Board slots. We also lost our Administrative Officer when Renee Winsky left to take a managerial position within NLC.

The 14th Annual NATOA Conference, “Telecommunications Bonanza,” was held in Reno/Sparks, Nevada, in mid-September. A record setting 500+ conference attendees gathered to learn more about the expanding telecommunications field and to chart NATOA’s strategic future. Susan Littlefield and Mike Reardon continued as President and Vice President, respectively, elected by acclamation at the Annual Business Meeting. Cathy Grimes Peel (Metro-Dade County, FL) was selected NATOA Member of the Year.

One of the longest NATOA election traditions was for member Richard Emenecker to stand following board officer nominations to call for election by acclamation—it worked every time! When Richard went to work for TCI, his traditional role was taken by member Brenda Trainor who, wearing a black stovepipe hat and standing on a chair, (Richard has a certain “Lincoln-esque” quality) would call for the election by acclamation.

The Congressional elections provided added interest and uncertainty for local governments and NATOA members as the Republican Party swept into power in both houses promising governmental reforms and across the board deregulation of industry. As the year ended, NATOA members remained optimistic that the future would be a ‘Telecommunications Bonanza’ for local governments, and that they would not be ‘busted’ by federal telecommunications deregulatory legislation in the new year.

The Reno/Sparks conference will always be remembered for NATOA President Susan Littlefield’s famous ride into the welcoming general session on the back of Bertha the elephant! Although Bertha passed away a few years later and went on to her great “circus tent in the sky,” Susan continues to lend her knowledge and expertise to NATOA as the longtime Telecom Regulatory Manager in St. Louis, MO.

1995

Telecommunications Crossroads— Facing the Challenge

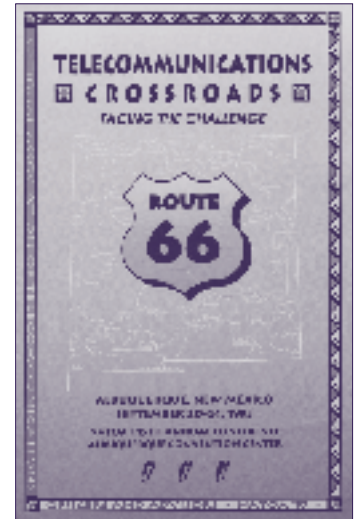
As the year began, the new federal legislative push for “The Contract with America” appeared to place telecommunications deregulation on the fast track with numerous other reform efforts. The Congressional leadership promised comprehensive telecom legislation from both houses by July with a final compromise version on the President’s desk by mid-summer. However, early objections from both the long distance carriers and ‘Baby Bells’ slowed consideration of the House and Senate bills.

The new House Commerce Committee leadership eventually produced a bill which was patterned after the failed 1994 measure, but with even more potential losses for local governments. In the spring this measure was voted out of Committee while the Senate continued to work on their version of the bill. By June the Senate bill had moved to the floor, and after several days of debate, S. 652 was passed overwhelmingly. The House bill, HR 1555, then became the target of the warring phone giants as both sides jockeyed to influence the legislation. Finally, in the last days before their summer recess, the House managed to pass HR 1555 after several amendments, some very favorable to local governments.

NATOA’s legislative action alert efforts began early in this process urging government officials to contact their federal representatives. Those efforts were successful in getting the Hutchinson Amendment included in the Senate bill which helped to protect the rights of local governments. Similar efforts with the much more deregulatory House bill also proved successful as the Stupak-Barton Amendment was included in the final version. Both bills went to the Conference Committee in September to develop compromise legislation.

While the legislative action was taking place in D.C., NATOA moved forward towards its plan to become an independent organization. Following the report of the transition task force and recommendation by the Board, the membership, in late spring, voted to approve the establishment of NATOA as an independent nonprofit organization and the Board began a search for an association management company to handle its affairs. The Board also began its search for the first NATOA Executive Director to lead the organization. In August, NATOA moved into new offices with the chosen Smith Bucklin management firm. With this change, NATOA bid a fond farewell to the NLC, our parent of 14 years, and stepped out into the world of self-reliance.

In the area of membership education, in 1995 NATOA held two successful regional conferences, one in Denver and the other in Indianapolis. These sessions set the stage for planning the annual conference, “Telecommunications Crossroads - Facing the Challenge” in Albuquerque, New Mexico, September 20–24—celebrating 15 years of telecommunications leadership.



At the conference, attendees heard updates on the legislation and everyone speculated about the final outcome from the Conference Committee. Educational sessions stressed ways to protect the public right-of-way, negotiate/renew franchises, establish I-Nets, and how to prepare for the changes expected in the telecommunications industry. FCC representatives also answered questions as part of a lively discussion at one general session. At the business meeting Mike Reardon was elected NATOA President and the members were updated about NATOA's new management organization and Executive Director search. The 400+ attendees also applauded long-time member and legal advisor Nick Miller's selection as NATOA Member of the Year.

Following the conference, the announcement was made that Board Member Eileen Huggard from New York had accepted the position as NATOA's first Executive Director. In her new role, she and a coalition of local government groups continued their exhaustive efforts to influence the outcome of the Conference Committee regarding telecommunications legislation.

Attendees will remember the tram ride to Scandia Peak and a windy trip to the New Mexico State Fair as special conference group outings.

1996 *Telecommunications Tradewinds*

Efforts continued in the new year to influence legislation. In late January, the Conference Committee released its report and final action was taken by both houses on the compromise bill. As a result of efforts by the local government coalition, local governments and individual members, the final legislation preserved many of the right-of-way protections we sought, and preserved much of our local authority to franchise cable as well as play a significant role in the franchising/licensing of competitors. President Clinton's signing of the 1996 Telecommunications Act in early February forever changed the way telecommunications will be provided in this country, while assuring local government's important role in that development.

NATOA immediately began the process of adapting to this new law by developing local government positions on pending FCC rulemakings that would shape some of its important sections. They also began the long education process of members and local officials on the law and the many changes local governments would need to make in the regulation and administration of rights-of-way. Due to the efforts of local government groups and others, early FCC rulings on the new Open Video System (OVS) concept took shape with significant support for the provision of PEG access. However, other FCC rulings, especially in the controversial area of small dish placement, totally disappointed local officials. Efforts continued to support our OVS positions and to try to alter the FCC's misguided dish rules. Many jurisdictions also developed "model telecommunications ordinances" as a tool to manage the provisions of the new law. In addition, early efforts by national telecommunications companies following passage of the law resulted in suc-



cessful state legislation in Colorado essentially taking away much that local governments had gained in national legislation. Similar efforts were expected in many other states and members were gearing-up to meet this new industry challenge.

Members learned about the new law at two highly successful spring regional training seminars in Washington, D.C. and Clark County/Las Vegas, Nevada. A series of four spring and early summer educational seminars co-sponsored by the NLC, PTI and NATOA also provided much needed information, networking and education. Model telecommunications ordinances became the phrase of the day and fair access to the public right-of-way by users a new objective.

The 16th annual NATOA Conference, "Telecommunications Tradewinds," was held at the beautiful Breakers Hotel in Palm Beach, FL. The members remained cautiously optimistic about the new telecommunications world and their important role in it. John Pestle was selected as NATOA Member of the Year and Byron West was elected as NATOA President.

Following the annual conference, NATOA continued to evolve and change. A new management company, Association Management Bureau (AMB), was selected to house NATOA's operations in McLean, VA.

This marked the first time that a cable operator completely sponsored the opening reception held in a separate hotel facility on the beach. NATOA's first, and only, croquet tournament was also held. The "Breakers" conference also started the trend toward "upgraded" hotel and facilities for NATOA conferences—a controversial change that resulted in a move back to more modest conference venues in recent years.

1995 *Telecommunications Revolution or Evolution?*

The competition for video programming promised to customers by the telecommunications industry during the debate surrounding the passage of the Telecommunications Act turned out to be as overblown as some skeptics had predicted. Telephone giants backed away from commitments for video competition and instead battled over entry issues and control of the long distance market. Cable TV operators, clobbered by subscriber anger from significant rate increases and new competition from DBS providers, were staggered by subscriber losses and tons of debt as financial institutions reevaluated their cable portfolios. Mergers at all levels of the telecom industry seemed to take place daily increasing concerns about competition and monopolies. At the same time cellular and PCS towers seemed to be springing up everywhere angering citizens and forcing local governments to quickly rewrite old planning policies, or to declare emergency moratoriums to cope with the situation. New providers of wireless and wired telecommunications services also sprang up everywhere and in a few instances the public began seeing the beginnings of competition in some communications areas, especially between wireless communications providers.

Internet and email became the new buzz words as offices around the country added email addressees to business cards and stationary. Virtually every company advertisement in the media now contains a home page address, while terms like 'list serve,' 'html' and 'URL' became more common in our vocabulary. NATOA enhanced its existing homepage adding new services and 'links' with the assistance of Webmaster Jonathan Kramer, and also began a new member list serve during the year.

October 2004 marked the 10th anniversary of NATOA's information website, www.natoa.org originally created by long time member Jonathan Kramer. Thanks to the NATOA staff who keep our website current, filled with useful information and helpful links.



NATOA continued its active training schedule to meet the changing information demands of the times. Successful winter seminars on antenna siting were held in St. Louis, Missouri and Tacoma, Washington. Spring regional training seminars drew good attendance in San Jose, California, Aurora, Illinois and Baltimore, Maryland. NATOA also teamed with Strategic Research Institute to hold a mini-seminar in Washington, DC prior to the Institute's annual Cable Telecom Roundtable. These efforts were complemented by information in the NATOA News Quarterly, its bulletins/action alerts, the revised NATOA Home Page and list serve capabilities.

NATOA had important roles in several national issues including the Troy, Michigan/TCI case and several filings on important FCC rulemakings. Court efforts on behalf of local governments were rewarded with a unanimous decision in the 5th Circuit Court in the Baltimore case. That decision overturned the faulty FCC's ruling that allowed cable operators to deduct from their gross revenues that portion of the bill paid by subscribers attributed to the 5% franchise fee.

Thanks to a strong local government coalition lead by Laredo and Dallas, Texas, and the able work of attorneys Tim Lay and Joe Van Eaton, this decision potentially saved local governments tens of thousands of past and future franchise fee revenue.

The annual conference in Tucson, Arizona was a success for the organization with a record attendance of over 650. Jonathan Kramer was selected as NATOA Member of the Year (for the second time!). Tom Weisner (now "Mayor Tom" of Aurora, IL) was elected as President.

Many attendees may still have their souvenir bandanas from the cable company sponsored reception at the hotel. Visits to the hotel's many pools and tennis courts were highlights fondly remembered by many.

1998

Sea of Change: Navigating the Next Generation of Telecommunications and Cable TV

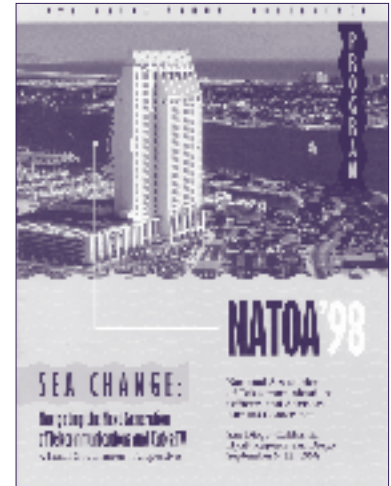
NATOA members and local governments were swept up by a sea change in the world of telecommunications with waves of advanced technology, global strategies, and a new information-driven society. In most localities, the original franchises were coming up for renewal and local officials were preparing for local needs assessments and compliance reports. Cable companies were ramping up to offer high speed data modem services, and citizens were preparing for Internet and telephony over cable.

The expectations that the 1996 Telecommunications Reform Act would generate meaningful competition, generate more value for the paying customer and reduce rates did not materialize. Cable rates continued to rise and cable operators themselves paid higher and higher rates to programmers. Consumers also saw no improvement in local or long distance telephone rates. Industry players spent limitless time, money and energy to convince state legislators that local governments were the villains who were stifling competition.

NATOA announced its STAR (State Telecommunications Assistance and Response) Program designed to assist local governments in educating and impacting state legislatures considering telecommunications legislation. Regional Training Seminars were held in Baltimore, March 11-13, 1998 and in Denver, April 15-17, 1998, and in August, 1998, the NATOA Ad Hoc Committee for Rights-of-Way policy published its Local Government Principles Relating to Rights-Of-Way Management and Compensation and Ownership of Telecommunications Facilities. FCC Chairman Reed Hundt appointed the first Local and State Government Advisory Committee, made up of local elected officials, to advise the FCC about issues of common concern.

The 18th Annual NATOA Conference in San Diego broke attendance records with over 700 participants and an excellent group of speakers led by AT&T President John Zeglis, who delivered the keynote address. Ken Fellman was named NATOA Member of the Year. Membership reaches 880.

At the close of 1998, AT&T moved to acquire thousands of TCI cable franchises, giving rise to the new era of convergence of telephone and cable. The NATOA Annual Conference, held in San Diego in September, 1998 was alive with the news, and industry representatives attended in record numbers to respond to the concerns of local officials who would be called upon to approve these transfers and help AT&T's game plan become reality. Broadband services over cable were touted as the best medium to address future telecommunications needs, and suddenly, AOL and other Internet Service Providers (ISP's) seized the idea that they should be afforded access to the cable pipeline. Local officials found themselves squarely in the middle of the fray—the convergence of telephone and cable and the conflict between cable and the ISP's.



It would have been hard to imagine at this conference that AT&T's purchase of TCI would eventually lead to the consolidation of the cable industry today and the downfall of one of America's largest Fortune 500 companies less than five years later.

1999

Telecommunications Transformation

The 19th Annual NATOA Conference in Atlanta focused on the issues of competition in the cable industry, 'Open Access' to cable broadband networks, and the future of telecommunications. One highlight was FCC Chairman William Kennard's visit to the conference where he addressed the attendees at a keynote session. David Olson was honored as NATOA Member of the Year and outgoing NATOA President Jane Lawton and William Pohts were made Life Members of the organization. Darryl Anderson was elected NATOA President, and the organization welcomed its new Executive Director, Libby Beaty. NATOA also launched its new professional quarterly magazine, NATOA's Journal of Municipal Telecommunications Policy. Membership reaches 940.

Attendees will remember our tour of the CNN Building, trips to the Martin Luther King Jr. Memorial, and the Jimmy Carter Museum, as well as Peach Daiquiri's and Mint Juleps on Miss Pitty Pat's Porch

Through 1999 and into 2000, NATOA members found themselves busy with system transfers as merger and acquisition mania continued with AOL buying Time Warner, AT&T acquiring Media One, and Paul Allen's Charter Communications acquiring enough cable systems to become the 4th largest US operator.

2000

Beyond the Big Screen

New technology breakthroughs allowing cable systems to offer more than just cable, and the availability of venture capital, brought about the birth of the first real competition in the cable industry. As we entered the new year, names like RCN, WIN, and WOW dominated the trade headlines as these new competitors sought competitive franchises across the country. NATOA held successful spring regional training seminars in Colorado Springs and Boston where attendees learned about the new competitive providers, transfers of ownership, and right-of-way management issues. A second successful Litigation and Regulation Seminar was held in Washington, DC in June where legal experts discussed changes in telecommunications law and competitive franchising.

In late June, the Court of Appeals for the 9th Circuit overturned the AT&T 'Open Access' decision of 1999. This action finally caused the FCC to announce that they will formally review the issue to address whether Internet over the cable platform is a telecom or cable service. NATOA joined with others in filing an Amicus Brief before the Court of Appeal for the 4th Circuit in the Henrico, Virginia case where the lower court had determined the provision of high speed Internet service by Media One was a cable service.

Editor's Note: The Supreme Court's "Brand X" Decision in late June 2005, nullified these "Open Access" arguments, and placed that decision at the national level with the FCC.

As we moved toward NATOA's 20th Anniversary conference in Los Angeles in early September we celebrated our history and past accomplishments. We also looked forward to a future of new communications technologies, the beginnings of cable competition, and the many challenges these changes will bring NATOA, local governments, and citizens in the new millennium.

The 20th anniversary NATOA Conference was held at the historic Biltmore Hotel in downtown Los Angeles in September. Over 700 attendees heard presentations on franchising competitive providers, digital communications, and other broadband technologies. Highlights of the conference included a keynote presentation by Jim Robbins, President & CEO of Cox Communications, a visit from FCC Sr. Legal Advisor to Chairman Kennard, Anna Gomez, as well as a presentation by Robert Sachs, President and CEO of the National Cable Television Association.

In celebration of 20 years of service, NATOA's anniversary events included the introduction of NATOA's remaining charter members in attendance, each was presented with a commemorative jacket.

Outgoing president Darryl Anderson and long-standing member Nick Miller were made life members of NATOA as Ron Mallard assumed the leadership of the organization. Susan Littlefield was honored as NATOA's Member of the Year, while MACTA received the President's Award for Chapter Excellence. Memberships tops 1,000.

This conference was also noted for attendee side-trips to Venice Beach, Santa Monica, and Hollywood—in convertibles of course!



2001 *Riding the Waves of Change in Telecommunications*

While the “buzz” before and during the 2000 NATOA conference was the excitement over the number of competitive providers seeking franchises across the country, the declining stock market and evaporation of venture capital money soon changed this picture. Franchise efforts first slowed, then halted, and eventually stopped in all but a few of the communities approached by these new providers. As 2001 dawned, the promise of real competition in the cable market and the hope for choice for millions of subscribers had become another casualty of the financial marketplace.

NATOA's two regional seminars, held in the Spring in Seattle and San Antonio, brought out NATOA members and local government officials seeking information on renewals, transfers, broadband technology, use of Web sites, institutional networks and management of numerous telecommunications companies using public rights-of-ways.

The tragic events of 9-11 changed this conference, and everyone who attended it!

Court decisions continued to negatively affect telecommunications and cable policy for local governments and consumers, but NATOA's involvement before the FCC and the courts did not dwindle. From participation in the FCC's Notice of Inquiry into High Speed Service over Cable Modems to participation in numerous Amicus briefs filed before the federal courts, NATOA continued to pursue and protect the rights and interests of local governments across the country. As the 2001 conference approached, NATOA had just announced its support for the City of Tacoma's pursuit of a petition for certiorari before the U.S. Supreme Court on the Ninth Circuit's *Auburn et al., v. Qwest* decision.

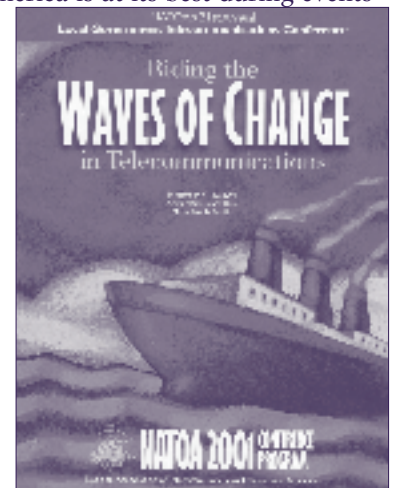
Rights-of-way management and the deployment of broadband services, as well as potential mergers, take-overs and transfers are all issues of concern as members approach the upcoming 2001 NATOA Annual Conference in Miami Beach, Florida in September.

The 21st Annual NATOA Conference at the beautiful Loews Miami Beach Hotel will probably be remembered more by attendees for an event that happened thousands of miles from Florida. The tragedy of September 11, 2001, disrupted the lives of Americans and has changed the way many of us think. Happening in the middle of the NATOA Conference, this event also brought home our own fears and vulnerabilities, because most at NATOA were many miles from our homes and loved ones. Although everyone at the conference experienced some temporary inconvenience with travel arrangements home, our problems certainly paled in comparison to those who suffered directly in this tragedy. As we attend future NATOA conferences each year, we will certainly have our own unique reminder of the tragedy and lessons learned from 9/11.

Fortunately, with the leadership of our Board of Directors, Executive Director and conference staff, arrangements were made to provide for the spiritual and physical needs of attendees. Soon the conference activities were back on-track making it a success. FCC Commissioner Susan Ness provided us inspiration as she reminded us that America is at its best during events like 9/11. Panels on customer service, new technologies, state and federal legislation, government programming and institutional networks provided a wide range of experts. The quick work of Mike Mustard and staff made the Government Programming Awards an evening to renew our spirit and remind us of our determination as a nation. The NATOA Board announced the formation of two initiatives for the year: 1) the Industry Advisory Council, to work with the Board on issues of national concern with the telecommunications industry; and 2) TeleCommUnity, to focus on heightening awareness of local government issues for members of Congress.

NATOA honored charter member Jayne Gerdeman-Homsher and immediate past President Ron Mallard with Life Member status for their work for the organization. Attorney and long-time NATOA advisor, Jim Baller was honored as NATOA's Member of the Year. Denise Brady moved to NATOA's President's chair. Membership exceeds 1,150.

NATOA members also enjoyed the wonderful Florida climate with some beach and pool time, as well as strolls around the historic and always jump'n Miami Beach.



2002

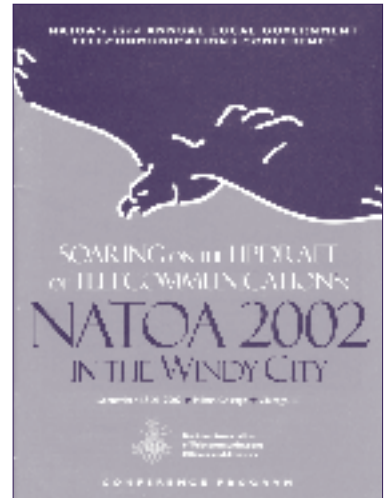
Soaring on the Updraft of Telecommunications

As 2001 closed, the AT&T Comcast merger became a reality, meaning that many NATOA members would spend the first half of 2002 managing the change of control process for those franchises. NATOA provided members with excellent networking via the listserv, as well as coordination at the national level on a number of transfer-related issues. In mid 2002, NATOA members were faced with the unprecedented bankruptcy announcement of Adelphia Communications.

The leadership of NATOA joined with the leadership of SCAN NATOA to request the formation of a local government committee before the bankruptcy court, in an effort to ensure that local governments are adequately protected throughout that proceeding. The US Trustee refused, as did the court, however NATOA hired counsel to ensure the interests of local government continued to be represented before the court.

Following the 9th Circuit's decision on cable modem/open access, it was inevitable that the FCC would eventually act to define this service. Unfortunately the FCC's classification of cable modem service as an "information service," their accompanying "non-decision" on a number of other issues and pronouncements by FCC Cable Bureau Chief Ken Ferree, gave the cable industry the opening to uniformly tell LFAs across the country that cable companies would no longer pay local governments franchise fees on cable modem revenues. To challenge that action, NATOA quickly formed the Alliance of Local Organizations Against Preemption (ALOAP) with the National League of Cities, the National Association of Counties, the U.S. Conference of Mayors and the International Municipal Lawyers Association. With assistance from groups like the Alliance for Community Media, TCCFUI and the American Public Works Association, ALOAP has challenged the FCC's ruling directly, as well as through the courts. ALOAP filed comments on both the Cable Modem and Wireline NPRMs, addressing the regulatory status of cable modem service and encouraged members to file additional comments. ALOAP also filed a Notice of Appeal in the D.C. Circuit, which was moved to the 9th Circuit for consideration. A large number of individual parties supporting ALOAP's efforts also filed a Motion for Intervention.

NATOA continued its advocacy for local governments to retain control over the public rights-of-way (PROW). The NCTA and an industry counter-group called the Industry Rights-of-Way (I-Row) Coalition expended considerable resources to lobby and influence the FCC, the National Association of Regulatory Utility Commissioners (NARUC) and the National Telecommunications Information Agency (NTIA). NARUC adopted one PROW resolution during its Winter 2002 meeting and proposed an additional PROW resolution for consideration at its summer conference in Portland, Oregon. NATOA representatives attended each of these NARUC conferences, and during the course of the summer meeting, were successful in influencing the unbalanced approach that organization was taking within the resolutions. NATOA President Denise Brady, along with other local government representatives, also met directly with Assistant Secretary Nancy Victory at NTIA to better educate and inform that agency of the realities of local government ownership, control and management of PROW.



The national associations (NATOA, NLC, NACo, USCM and IMLA) also banded together to offer a joint publication on the issue, Local Governments Officials Guide to Rights-of-Way, which was distributed to members and local governments.

NATOA's Technical Committee reviewed and advised members on the FCC's NPRM regarding Public Safety Communications (800MHz). A policy subcommittee also collected samples of customer service policies and procedures from members with plans to meet with NCTA representatives to discuss customer service issues. NATOA continued to track and comment on a number of bills before Congress. NATOA's publications of NATOA News and the NATOA Journal, continued to be valuable information resources to members thanks to the efforts of the Publications Committee. The Member Services Committee held a new membership drive with rewards for current members who recruit new members.

NATOA's State and Regional Chapter efforts continued as the Carolina's Chapter joined together with members in Georgia to form a new regional chapter called the South East Association of Telecommunications Officers and Advisors (SEATOA), with veteran member Doris Boris as President.

In May, NATOA sponsored the ever-popular "Litigation and Regulation Seminar" in Washington, DC, where attendees heard from the nation's experts in telecommunications and legislative law about the changing industry. Portland, Oregon was the site for NATOA Regional Training Seminar where more than 115 attendees learned from experts and shared their experiences.

As summer closed members were preparing to attend NATOA 22nd Annual Conference in Chicago, the Windy City, with the year's theme of "Soaring on the Updraft of Telecommunications," September 18 – 21.

NATOA held its 22nd annual conference in Chicago at its famous Hilton Chicago on Michigan Avenue's "The Miracle Mile," September 18 – 21, 2002. The conference centered on the dramatic changes in the cable and telecom industries as a result of the economic downturn and the affects of recent media mergers. The Adelphia bankruptcy and the failure of many cable over-builders have taught us to be prepared, because any community could face a similar situation. With the AT&T/Comcast merger about to close, members had opportunities to hear more about this new media giant. New trends in telecommunications and cable were also highlighted, along with advice for those in renewal or with customer service problems. One piece of great news received during the conference was that the 9th Circuit Court of Appeals accepted many of the positions of Santa Cruz (CA) County's appeal regarding its transfer dispute with Charter Cable. The Court's ruling was a significant victory for local governments, many of whom were "hamstrung" by this case during the consideration of the AT&T/Comcast merger in 2002.

Denise Brady (San Francisco, CA) began her second term as President of the Association, with Carol Mathewson (Tacoma, WA) as her President-Elect. Bruce Crest, NATOA Charter Member, and the author of this history, was honored with NATOA Life Membership (he was also designated as official NATOA Historian). Side-trips to the world famous Navy Pier and Architectural Boat Tour, Field Museum, the Shed Aquarium, blues clubs, and to the excellent shopping on Michigan Avenue helped many attendees complete their Chicago experience.

Membership exceeds 1,200.

Although attendance "lagged" at our first post 9-11 conference, NATOA's spirit "moved forward" with the changes in telecommunications industry. The NATOA "Blue's Brothers" (Bruce Anderson and Stu Chapman) also made their first, and last, public appearance at the Award's Gala sponsored by Discovery Networks.

In mid-October, NATOA was well represented at a Washington, DC FCC Forum on Rights of Way, where we continued to stress the need for local control and the value of this public resource.

Members were saddened by late-October news of the sudden death of long time member Vincent Costello from Philadelphia. Vince was a leader in our field, and always the gentleman!

The NATOA Board met with telecom and cable industry representatives in Washington during November to discuss ROW issues with telecom representatives, and customer service issues with cable industry and National Cable Telecommunications Association (NCTA) participants. The goal was to open dialogues and to find better methods for the parties to work together on common issues.

NATOA, NLC, USCM and IMLA filed an amicus brief in November for the appeal of the Qwest vs. Portland to the 9th Circuit. The Court continues its review of the appeal but has not yet scheduled oral arguments.

In spite of attorney Joe Van Eaton's excellent arguments, the 5th Circuit Court of Appeals ruled against the local government position on the FCC's Pasadena Decision.

2003

New Frontiers in Telecommunications: Back to the Future

ALOAP (The Alliance of Local Organizations Against Preemption) continued the joint efforts of many local governments and interest groups in the 9th Circuit Court appeal of the FCC's cable modem decision. ALOAP's Reply Brief was filed in January and Tim Lay's oral arguments were presented on May 8th in Seattle. ALOAP also held ex-parte meetings with FCC staff members to discuss the Commission's NPRM and pending release of cable modem rules.

In January, representatives of NATOA, NLC, USCM, NACO, NARUC, APPA, and APWA met with Congressional aides to discuss the dangers of preemption of local government authority over telecommunications and the ROW. This was a great example of local, state, and county government cooperation on an important common issue.

NATOA Executive Director Libby Beaty and the NATOA Board provided comments and kept the membership informed about numerous FCC and Congressional activities in the communications area. This included: the 800 MHz realignment; spectrum for Intelligent Transport Systems (ITS); Fiber Technologies Networks' Petition for Preemption of a Pennsylvania towns ROW ordinance; and use of UHF broadcast unlicensed wireless spectrum.



The Committees of the Board had a very active year. The Governance Committee (composed of former NATOA Presidents) reviewed the NATOA Bylaws and Articles of Incorporation and proposed changes for member consideration, first through a modification to the Articles by vote at the business meeting, followed by modification to the Bylaws to conform. The Policy Committee also lost no time in beginning their work on reviewing and updating our Policy Platform Statement and in finding ways to streamline our processes to assure that we are ready to participate in national telecom policy development discussions. The Customer Service Committee worked diligently through the year to develop a “Best Practices” Handbook for use by members and local governments. The Board and the Committee held several meetings on this issue with their counterparts from the NCTA. And, a special Industry Fiduciary Responsibility Committee was established to keep Adelphia LFAs informed about bankruptcy issues.

The Journal of Municipal Telecommunications Policy (the NATOA Journal) continued its excellent efforts to chronicle the changes in our business and to educate us about these developments. Rick Maultra’s leadership, along with the written contributions of many others, has truly made this a valuable quarterly publication. Improvements have also been made in the NATOA News.

In March and May NATOA held regional conferences in Nashville and Minneapolis. While the Nashville program dealt with more traditional conference topics like renewals/transfers and customer service issues, Minneapolis attendees explored new trends and technologies. Titled “Twin Cities Tech Talk: A View of Advancing Technologies and Polices” and co-sponsored by PTI, attendees heard from current technology experts about high-speed cable institutional networks, Voice Over Internet Protocol (VoIP) services, public safety communication issues, Wireless Fidelity (WI-FI), and how to ensure that your various cable and telecom franchises adequately address these new technologies.

As we moved through summer, members began making their plans to attend NATOA’s 23rd Annual Conference in the “Mile-High City”—Denver, Colorado—“New Frontiers in Telecommunications: Back to the Future.”

We held the conference at the Adam’s Mark Hotel. The conference centered on continuing changes in the cable and telecommunications industries and the “blurring of the lines” between the services they offer.

The conference began with a series of “Primers” designed to educate newcomers to the “business” and ended with new “Masters” sessions for veterans. During several new “Technology Showcase” sessions, attendees learned more about the latest trends, as well as the many new industry “buzz-words”—HDTV, DOCSIS, VoD, ITV and VoIP.

Concurrent sessions covered many and diverse topics, including: management of effective competition filings; institutional networks; customer service standards; and the many changes in technology. There was also continuing discussion about the ongoing Adelphia bankruptcy, where the industry, local regulators, and subscribers are learning some hard lessons about cable finances.

Industry leaders shared their visions of the future and warned us about threats to franchise fees and rights-of-way. We were honored with a number of special guests, including FCC Commissioner Michael Copps who assured us that he believes the “public interest” is, in fact, central to the agency’s mission. General J. Michael Myatt, USMC Ret. reminded us of the important role we play in Homeland Security.

The NATOA Blue's Band, composed of members John Risk, Ken Fellman, Marc Pease, Philip Cortese, and Randy Stulchik, entertained attendees during the conference and promised to return in 2004!

Members thanked outgoing President Denise Brady (San Francisco, CA) for her years of service to NATOA. Similarly, special recognition was provided to Carol Mathewson (Tacoma, WA) for her two years service as President Elect. It was with regrets that the Board accepted her resignation over the summer to allow for elections for President and President-Elect. Coralie (Cor) Wilson (North Suburban Communications Commission, MN) was elected as NATOA's new President and Lori Panzino (San Bernardino County, CA) was chosen to serve as President Elect. Long time members leaving the Board included Joyce Gallagher (Chicago, IL) and Carol Mathewson (Tacoma, WA). The new Board members elected were: Mary Beth Henry (Portland, OR), Jennifer McKinney (Tucson, AZ), and Skip Munster (Fairfax County, VA). Member Rick Maultra (Indianapolis, IN) was honored as our 2003 Member of the Year. Congratulations to all! Membership holds steady at 1,200.

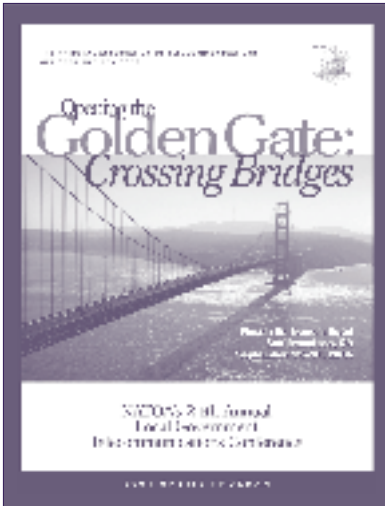
2004

Opening the Golden Gate: Crossing Bridges

Just after the conference held in Denver, the NATOA Board convened and determined that while the management structure had served its purposes in allowing NATOA to become established as an entity separate from the NLC, it was time again to cut the cord. In January 2004, NATOA "went out on its own" with its move to new offices in Alexandria, VA, ending its six-year relationship with Association Management Bureau (AMB), an organization management company. NATOA also hired two new staff members to work with our wonderful Executive Director, Libby Beaty, and her longtime "right-arm" Jennifer Harman, new Manager of Operations. Initial staffing at headquarters included Paul Begey as Deputy Director, Government Relations, and Melissa Robinson as the association's Administrative Assistant.

2004 will certainly go down as one of NATOA's most active years on the legislative, FCC and legal fronts. As we neared the conference, the House passed the "Internet Tax Non-Discrimination Act, H.R. 49 against the protests of local governments, states and other organizations. Its Senate companion, S. 150, was equally as bad. Coordinated actions of our members, NLC, NACo, USCM and other groups, produced some Senate champions who were able to represent local government interests and make some changes to the legislation as it was amended. After months of hearings and negotiations, a modified, but still troublesome, S. 150 was passed. As we approach the Annual Conference, there is still no conference committee on the bill, but other similar or potentially worse legislation is emerging.

The FCC's split decision on new media ownership rules angered consumers and government officials. A Federal Court later ruled the FCC's decision was improper and Congress is continuing to hold hearings and study this important issue. The FCC now moves "back to square-one" on the question of Media Ownership Rules. The upcoming 2004 Presidential Election and the expiration of several FCC Commissioner terms bode for an "interesting" 2005.



Spurred on by Vonage's Petition for Declaratory Ruling, the FCC (and Congress) was moving rapidly to consider what rules, if any, should apply to Internet-provisioned services (IP-Enabled services) every telecom and cable provider appears to be rolling-out. NATOA and a number of local government, law enforcement, and consumer organizations have all taken strong positions that protect consumers, regulatory authorities, and the revenues local and state governments derived from such services. Many, including NATOA, are participating in the current FCC NPRM for IP-Enabled Services (like VoIP). NATOA also established a Converging Technology Subcommittee to help the organization and its members stay current with the "blending" that is taking place between industries. This may be the most important issue confronting local governments since the deregulation of telephone services in the 1980's and the 1984 Cable Act.

A number of important legal decisions and pending cases also highlighted this last year. In September, the 9th Circuit Court's decision in *Charter Communications v. Santa Cruz County* (CA) determined that the county acted within its rights to determine Charter's financial resources prior to approving a transfer of the cable franchise. The U.S. Supreme Court denied subsequent filing for certiorari from Charter and the NCTA. NATOA et al. filed an amicus brief in *Qwest v. Portland et al.* (OR); nearly nine months later, we are still waiting for the Court's decision on Qwest's appeal. Local governments also won an important victory in the *Comcast of California II, LLC., v. City of San Jose, CA* decision regarding franchise renewal negotiations. NATOA and other local governments lent support to the City's position in this case.

A number of local governments were unsuccessful in legal challenges against their cable operators for non-payment of franchise fees on cable modem revenues. A year has passed and the FCC has yet to issue new rules under its Cable Modem NPRM. This issue has been further complicated by the 9th Circuit Court's appeal decision which classified cable modem services as both an information and a telecommunications service. Thanks to NATOA, ALOAP, and other local governments for supporting this ongoing effort.

NATOA continued to remain active on a number of important pending FCC matters including: IP-Enabled Services Rulemaking, Broadband Over Power Lines to Promote Broadband Services Rulemaking, Public Safety Interference Rulemaking (Nextel); Petition for Declaratory Ruling regarding FCC Regulatory Fees; Deployment of Advanced Telecommunications Capability (Sec. 706 of the Telecom Act); and Service Outage Reporting Rulemaking...

NATOA continued its leadership role in the Adelphia bankruptcy by educating members through its Industry Fiduciary Responsibility Committee which followed the case and advised members. As we approached the 2004 conference, verdicts were handed down from the court convicting company founder John Rigas and one of his sons on a number of serious financial management charges.

NATOA took the initiative to suggest to Comcast that there would be value in working with NATOA on revising their new, controversial Subscriber Privacy Policies. That overture, accepted by Comcast, resulted in an ad-hoc NATOA Committee, headed by Board Member, Doris Boris, working with Comcast. Though the revised version is not perfect, NATOA and Comcast agree that it is an improvement to the original.

President Wilson testified before the Senate Subcommittee on Antitrust, Competition, and Business and Consumer Rights on the subject of anti-competitive practices. Ironically, she testified on the same morning that Comcast announced its bid for Disney; within months that “deal” fell through.

NATOA Customer Service Committee worked diligently during the year to finalize best practices for NATOA members to use for drafting and implementing customer service standards, reporting requirements, and enforcement provisions. The document was completed and released as the “Customer Service Handbook: Guide for Local Franchising Authorities to Establish Customer Service Standards by Ordinance.” It is available to members on the NATOA website; watch for updated versions.

The NATOA Journal of Municipal Telecommunications Policy and the NATOA News continued to provide members with scholarly journal articles, as well as current news on the telecommunications industry and local government franchise administration.

NATOA held its ever-popular Litigation and Regulation Seminar in Washington, DC, in April. Over 100 attendees heard the latest from legal and legislative experts, as well as networked with colleagues from around the country.

As we prepared for NATOA’s 24th Annual Conference at the historic Westin St. Francis Hotel in the “City by the Bay,” beautiful San Francisco, NATOA and local governments faced some of the most significant challenges in our history. The FCC and Congress were moving rapidly to redefine the telecommunications industry around IP-Enabled Services. The cable industry is quickly diversifying into a number of new fields, including variations of VoD and IP-Enabled Services. These changes will challenge our regulatory and revenue collection authority, and potentially our control over the public rights-of-way.

NATOA and other governmental groups filed comments on the FCC’s IP-Enabled Services NPRM and also closely tracked bills to preempt local authority over VoIP in Congress where early bills to pre-empt local authority over VoIP were introduced. These were all be “hot topics” in September at NATOA’s Conference at the historic Westin St. Francis Hotel in the “City by the Bay” – San Francisco, CA.

At the conference, policy and technology sessions provided opportunities for veterans and novices in telecommunications to increase their knowledge and to exchange ideas with leaders in these fields. NATOA’s “Member of the Year” was Juan Otero, NATOA member and Principle Legislative Counsel to the National League of Cities, honored for his significant efforts in working with NATOA on behalf of local governments.

Membership remains at 1,200.

Discovery Networks again sponsored NATOA’s Government Programming Awards (our 19th) highlighting the best in local government programming and the NATOA Blue’s Band delighted attendees at the post-awards reception held at the top of the St. Francis.

Following the conference, NATOA continued its efforts to influence decisions of the FCC, Congress, the courts and at many state legislatures and PUCs. NATOA and local governments worked together to modify S. 150, a bill to make permanent the moratorium on taxes on local Internet access. Although the Act eventually became law, changes were made to exclude VoIP and requiring GAO study the effects of such taxes on local/state governments. During this process, it became clear the difficult battle local governments will face as the telecommunications industry continues to work to reduce local government control and oversight. NATOA filed comments on the FCC’s A la Carte programming offerings, however, in the end, the FCC decided not to address this important consumer issue.

2005

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What began as welcome competition to cable has become a major challenge to local authority at both the state and Federal levels. SBC now claims its fiber to the home/premise construction is VoIP based and does not need local cable franchises; Verizon acknowledges the need to get cable franchises but rejects build-out requirements and other traditional cable franchise requirements, instead offering their own unique concept of a cable franchise. NATOA and local officials have, thus far, defeated these efforts at state legislatures and are gearing up for this debate at the federal level.

During the year, a coalition of LFAs hired consultants to jointly reviewed Comcast's 1205 equipment and installation rate filings. Although Comcast has appealed the resulting rate orders from these jurisdictions, many will be participating in another such review and we hope this effort eventually results in refunds to subscribers and changes the way Comcast calculates their 1205 rates. NATOA also filed a White Paper in the two year-old proceeding on the Form 1235 for basic rates.

Although NATOA and other local governments filed excellent Amicus Briefs with the US Supreme Court on the Brand X case, we were all disappointed to learn the Court's decision to not hear arguments regarding local government franchise fees and customer service issues. In June 2005, the Supreme Court finally ruled in Brand X, primarily in favor of the FCC and the cable industry. As a result, the issue of local control on cable broadband /information services, the collection of franchise fees on these services, and "open access," all appear to be dead issues.

NATOA participated in the Bell South Forbearance Petition which requested the FCC to release the company from any Title II common-carriage requirements. We were encouraged by the FCC's Order denying their petition for forbearance from Title II common carrier regulation for IP platform services. Although under the leadership of new Chair Kevin Martin the FCC appears to be more thoughtful in its deliberations, we remain cautious of the FCC's apparent intent to deregulate all new technologies.

Other, more threatening changes may result from Congress's plan to "revisit" the 1996 Telecommunications Act this year. Already a number of "pro-industry" bills have been introduced and NATOA is busy rallying members and local governments into action. In late June, S. 1349 and HR 3146, the "Video Choice Act of 2005" was introduced. They erroneously portray local governments as impeding competitive franchises for telecom providers. Other Federal legislation has been proposed regarding "national franchises" for telecom/cable, and to either restrict or encourage local governments to offer wireless or broadband services within their jurisdictions. The whole gamut of cable and telecom industry groups are working hard to influence Federal policy makers as these bills are introduced – NATOA and our local government allies will have to be ever vigilant. Since some Congressional leaders are pushing for quick action in September on these legislative changes, this year's conference location in Washington DC is very timely.

NATOA's Committees had a very active year: the Customer Service Committee completed work on an additional chapter to their "best practices" Customer Service Handbook which will provide guidance to local governments to ensure that subscribers receive the best customer service possible. The Multi-media and Programming Committee worked on their own list of "best practices," increased efforts to work with various groups on sharing programming and resources, and made many efforts to make information for programmers more readily available.

The Board established a new Convergence Sub-Committee of the Policy and Legal Committee to study and focus on the convergence of technologies between industries, which developed "Core Values" and talking points for use with elected officials who need to be educated on these changes. The Policy and Legal Committee also created a subcommittee to study cable franchising for telecom companies providing "fiber to the home/premise."

NATOA also formed a new subcommittee of the Policy and Legal Committee to deal with threats from Effective Competition filings and the trend towards telecommunications mergers. Last year's special subcommittee on the Adelphia Bankruptcy shifted gears as the sale of the company's assets to Time Warner and Comcast were announced, meaning numbers of transfers of ownership to review. NATOA's Journal of Municipal Telecommunications Policy continued its quarterly publications on a variety of issues and has become an important information resource for members.

As we approach the 25th anniversary and its celebration at the upcoming annual conference in Washington, DC—there is much to be thankful for, and much to be celebrated—25 years of leadership serving local governments and citizens!



Looking backwards and forwards—a closing note from NATOA's Historian on our 25th Anniversary:

Philosopher and historian George Santayana, once wrote, *"Those who cannot remember the past are condemned to repeat it."*

20 years ago, NATOA President Bill Bradley, in the face of increased litigation and FCC challenges to the newly enacted 1984 Cable Act, admonished us at the Philadelphia Conference, "to keep our powder dry" for the impending battle. Excellent advice then, as it is today, at a time when local governments face the greatest challenges to their authority and their ability to serve and protect subscribers. Only time will tell whether Santayana's and Bill's advice was correct!

NATOA's History is provided by Charter Member and Association Historian, Bruce Crest, Beaverton, OR.

NATOA BOARD OF DIRECTORS: 1980–2003

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 Jennifer McKinney
 Skip Munster
 Dean Smits
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NATOA CHARTER MEMBERS

Individuals who were instrumental in the creation and formalization of the organization during the years 1979-1980. Our deepest gratitude for their foresight into the cable and telecommunications needs of local governments for the decades to come.

Bill Bradley, Denver, CO	Charlene Ladd, Ann Arbor, MI
Joan Burke, Kalamazoo, MI	Patricia Landers, Irving, TX
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Lloyd Jacobs, Indianapolis, IN	Merry Sue Smoller, Miami, FL
Randall James, Orlando, FL	Richard Varnes, Boulder, CO

LIFE MEMBERS

Individuals who have made outstanding contributions toward furthering the goals of NATOA and its members over a period of years and in recognition of significant achievement on national, regional or state levels.

Darryl Anderson, Washington, DC	Susan Littlefield, St. Louis, MO
Paul Berra, St. Louis, MO	Ron Mallard, Fairfax County, VA
Bill Bradley, Denver, CO	Donna Mason, Vancouver, WA
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John Hansman, Rockville, MD	Marvin Rimmerman, Baltimore, MD
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Charlene Jolly, Highland, MI	Bob Thomas, Radford, VA
Gwen LaCroix, Milwaukee, WI	Tom Weisner, Aurora, IL
Jane Lawton, Montgomery County, MD	Byron West, Denver, CO

NATOA MEMBER OF THE YEAR AWARDS

In 1986, NATOA's Board of Directors created the NATOA Member of the Year Award. The Board presents the award to a member who has provided outstanding service to the organization.

1986: Richard Emenecker, Pittsburgh, PA	1996: John Pestle, Grand Rapids, MI
1987: Jayne Gerdeman-Homsher, Cincinnati, OH	1997: Jonathan Kramer, Los Angeles, CA
1988: Bruce Crest, Beaverton, OR	1998: Ken Fellman, Denver, CO
1989: Joe Lapos, St. Louis, MO	1999: David Olson, Portland, OR
1990: Cheryl Pasalic, Mt. Prospect, IL	2000: Susan Littlefield, St. Louis, MO
1991: Jonathan Kramer, Los Angeles, CA	2001: James Baller, Washington, DC
1992: Janet Quigley, Washington, DC	2002: No Award Presented
1993: No Award Presented	2003: Rick Maultra, Indianapolis, IN
1994: Cathy Grimes Peel, Miami, FL	2004: Juan Otero, Washington, DC
1995: Nick Miller, Washington, DC	

NATOA CONFERENCE THEMES & LOCATIONS

- 1981** Boulder, CO
The Role of the Local Cable Communications Officer
- 1982** Seattle, WA
Telecommunications: Managing in the Public Interest
- 1983** Baltimore, MD
Building for the Future: Telecommunications Use and Management
- 1984** Tucson, AZ
Moving Forward: The Changing Landscape of Local Telecommunications
- 1985** St. Louis, MO
Life After the Cable Act of 1984
- 1986** Philadelphia, PA
Communicating with the Future
- 1987** Milwaukee, WI
Telecommunications '87: Options and Opportunities
- 1988** Miami Beach, FL
Hot Topics in Telecommunications
- 1989** Scottsdale, AZ
New Visions on Telecommunications Horizon
- 1990** Dearborn, MI
Celebrating a Decade of Service
- 1991** Anaheim, CA
Charting an Ocean of Change
- 1992** Irving, TX
Telecommunications Roundup
- 1993** Orlando, FL
Telecommunications Magic
- 1994** Reno/Sparks, NV
Telecommunications Bonanza
- 1995** Albuquerque, NM
Telecommunications Crossroads
- 1996** Palm Beach, FL
Telecommunications Tradewinds
- 1997** Tucson, AZ
Telecommunications Revolution
- 1998** San Diego, CA
Sea of Change: Navigating the Next Generation of Telecommunications and Cable TV
- 1999** Atlanta, GA
Telecommunications Transformation
- 2000** Los Angeles, CA
Beyond the Big Screen: Converging Technologies and Industries
- 2001** Miami, FL
Riding the Waves of Change in Telecommunications
- 2002** Chicago, IL
Soaring on the Updraft of Telecommunications: NATOA 2002 in the Windy City
- 2003** Denver, CO
New Frontiers in Telecommunications: Back to the Future
- 2004** San Francisco, CA
Opening the Golden Gate: Crossing Bridges
- 2005** Washington, DC
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