

Spiegel Attorneys Defend Constitutionality of PEG Access Channels Before Supreme Court

January 18, 2019 | *James N. Horwood, Peter J. Hopkins, Jeffrey M. Bayne, Amanda C. Drennen*

Spiegel attorneys Jim Horwood, Tim Lay, Peter Hopkins, Jeff Bayne, and Amanda Drennen filed an *amicus* brief with the U.S. Supreme Court defending the constitutionality of the thousands of public, educational, and government (“PEG”) access cable channels that serve communities across the United States. The brief, submitted on behalf of the Alliance for Community Media, the Alliance for Communications Democracy, and the National Association of Telecommunications Officers and Advisors, rebuts the arguments of NCTA—The Internet & Television Association, the cable industry’s trade association. NCTA argued in an earlier *amicus* brief that PEG access requirements authorized in the 1984 Cable Act unconstitutionally infringe on the free speech rights of cable operators. The firm’s *amicus* brief points out that NCTA’s arguments were not raised in the courts below or by the parties to the case and therefore should not be considered by the Court. The brief then notes that, should the Court nevertheless consider NCTA’s arguments, they are inconsistent with both the facts and legal precedent.

A copy of the brief is available at the link below.

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