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730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

By First Class and Electronic Mail

Mr. Geoffrey Beckwith
Executive Director
Massachusetts Municipal Association
One Winthrop Square
Boston, Massachusetts 02110

Re: In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992.

Dear Director Beckwith,

As you noted in your October 2018 piece in the *The Beacon* entitled "FCC pursues Anti-Consumer Agenda that Preempts Municipal Authority," the Federal Communications Commission's ("FCC") Second Notice of Proposed Rule Making regarding "in-kind" offsets to local cable franchise agreements presents a potentially serious threat to the quality of local community television and related education programs in communities throughout the Commonwealth. Our PEG access provider, Arlington Community Media, Inc. ("ACMI") and our local schools are no exceptions. Accordingly, the Board fully supports and endorses the MMA's intention to submit testimony to the FCC in opposition to this cable franchise fee order, as well as MMA efforts to partner with other organizations such as the National League of Cities to best organize further opposition.

ACMI is a treasured resource in Arlington for myriad reasons. As our PEG access provider, ACMI serves as a platform for residents and community groups to communicate with the wider public, an educational tool and form of expression for our youth, and of course, an essential service in ensuring access to and transparency in government meetings. ACMI is utilized to keep our residents informed on pressing issues, relay their stories, and prepare our young people for the future. The proposed action by the FCC could severely decrease, if not eliminate, funding necessary for these ACMI to serve these functions.

Further, since 2003, when ACMI first became a stakeholder in the Town's negotiation of cable franchise fees, the Select Board and our cable providers have always negotiated with the mutual understanding that these purported "in-kind" contributions – dedicated ACMI channels, fiber for studios, and other technology for local schools – were separate from the franchise fees themselves capped at 5% of gross revenues. Our cable franchise operators, Comcast, Verizon, and RCN, each have shown themselves to be sophisticated operators in advocating their positions. Moreover, the alleged basis of this new order – the need to reduce the costs of entering the market by accounting for such in kind benefits in the franchise fee – is demonstrably unnecessary in this community.

In reality, as your piece intimated, the FCC's proposed rule is nothing short of a potential windfall for our providers already working in a competitive marketplace in Arlington. The budgetary futures for local governments and PEG Access providers has recently been made more uncertain by the potential for declining cable revenues (given that internet service is not included in the definition of cable revenue). As such, we fully concur with your assessment of the FCC's rule and join other Massachusetts municipalities in supporting the MMA filing of any testimony and comments necessary to make the likely disastrous impacts of this proposed rule known. We further commit ourselves to working with our congressional delegations to oppose the rule alongside the MMA.

Very truly yours,

ARLINGTON SELECT BOARD

Daniel J. Dunn, Chair

October 10, 2018