

CABLE AND COMMUNICATIONS ADVISORY COMMITTEE, Montgomery County, MD

Meeting Minutes, September 16, 2015

Committee Attendance: Oneal Puri, Delaney Higgs, Yen Ju Chen, Theodore Ewanciw

Cable Office Staff: Phil Roter, Keith Watkins

**Call To Order**

Meeting was called to order at 7:08. There was no quorum this evening so the minutes of the last meeting were not voted upon.

**Welcome Guests and Potential New Members**

The meeting started with the introduction of two members of public who attended the meeting, Michael Richards and Staffan Sandberg. Both individuals intended to interview for open positions on the Committee.

Phil asked Keith what next steps needed to happen for the individuals to become members of the committee. Keith stated that after they are interviewed by Oneal and Yen, the committee can recommend them for membership to the County Executive. The County Executive will send out letters of acceptance within 3-6 weeks.

**Cable Office Report**

Comcast Agreement

- Oneal asked Phil to update the Committee regarding the Comcast franchise agreement.
- Phil thanked the CCAC for their comments on the franchise agreement and those who attended the public hearing on August 3<sup>rd</sup>. The end of the 30 day comment period after the hearing was September 7, 2015. All comments are sent to the County Executive. The County Executive will review all comments and if he has no cause to not recommend the agreement he will send it to the County Council. The County Council has not indicated whether they intend to have any further public hearings. The August 3<sup>rd</sup> hearing was recorded and available to them. Phil expects the County Executive make his decision in the next few weeks.
- Oneal asked Phil what the main topics of the hearing were. Phil responded that about 25 people were at the hearing, with several belonging to one family. At the hearing Phil made his comments in favor of the agreement, the Comcast spoke in favor of the agreement. The Municipal representatives (Rockville, MML, Tacoma Park etc.) all supported the agreement but reserved the right not to give full support until the MOU's are worked out with the County.
- Phil continued the discussion by stating that the majority of public comments were about the Agricultural Reserve ("Ag. Reserve") area. Despite Montgomery County having one of the strictest build-out requirements in the area at 15 homes/ mile, many homes in the Agricultural Reserve do not have cable. Without cable they cannot have high-speed internet. There is a pilot program that the Committee has discussed before where Comcast and residents in the Ag.

Reserve can share the cost to bring cable to their homes. Currently there are 110 homes in the pilot program to cluster homes to share costs. As an aside, Verizon has not offered any sort of cost sharing accommodations for the Ag. Reserve.

- There were a few comments about Comcast service record at the hearing. All were pleased to hear that Comcast has opened a new facility as well as now offering a postage pre-paid envelope option for returning equipment.
- Phil stated that he anticipates the new Comcast Agreement by the end of this year with an effective date of January 1 if everything moves forward without objections.
- Oneal asked Phil what Comcast had to say in its comments. Phil responded that Comcast focused on its commitment to customer service by opening a new location in Aspen Hill. There were several comments by those who have seen the office that it is very nice.
- Phil then noted that the Cable Office is in current discussions with RCN and Star Power and they anticipate a draft agreement in about one month.
- Oneal asked how many subscribers they have, and Keith estimated that they have about 5,000.
- Ted asked what any hot button issues in that contract negotiation are, RCN apparently is looking for relief of the build out requirements from the previous contract. The County asked for HD channels for its PEGs and they RCN agreed. RCN will remain the County's broadband provider as well.
- A member of the public asked how comments should be addressed in the future for franchise agreements. Oneal described how the CCAC compiled comments by individual members of the CCAC for the Comcast agreement.
- Phil went on to discuss the PEG channels and noted that that with the Comcast agreement there are 11 channels and within 180 days of the effective date of the agreement the County will get 4 HD PEG channels and then after 3 years the county will get one additional HD PEG channel.
- It was asked how the county is going to decide which channels will become HD. Phil indicated that there will be criteria considered such as county reach, viewership and how much original, locally produced programming is aired. Phil acknowledged that the decision will be difficult.
- Delaney asked who gets the final say in determining what PEG channels become HD. Phil answered that not everyone will be happy, but the goal is to maximize the use of the channels we have. The agreement is only 5 years so things may change, technology will change and there is still the 5<sup>th</sup> channel as well. The SD channels will remain operational.
- Phil stated that with over the top TV, the County is trying to be very protective of its franchise fees. The County is very active nationally. MVPD at the FCC allows local governments to collect

franchise fees and PEG fees on over the top. There are proposed rules changes before the FCC right now to change the landscape and the FCC is in the process of sorting it all out.

- Yen asked if there was a letter writing campaign, Phil said yes.

### **Old Business**

#### Ultra Montgomery

- Phil informed the committee that the County Executive has stated Ultra Montgomery is on its way.

#### PEG App Update

- Phil stated that the app is not live yet but he anticipates that it will be in a few weeks. The mobile app created by the county. Half of the viewership of the PEG channels is on other devices, not on the TV. The App will have “on demand” any content and linear live content. Gaithersburg is on the App.

### **Complaint Report Review**

- Keith provided the complaint data. Complains mostly are regarding broken equipment. The County response time is within 1-2 hours and response by provider depends on nature of the complaint.

### **New Business**

- The Committee discussed scheduling meetings for 2016. It was decided that the meeting schedule would be January 27, March 23, May 25, September 28 and November 16. Our next meeting is November 18, 2015.

There were no additional comments.

Meeting adjourned at 8:27 PM

Minutes submitted by Delaney Higgs