

FIVE TOWN CABLE ADVISORY COMMITTEE

Representing the Towns of Great Barrington, Lee, Lenox, Sheffield and Stockbridge

Special Meeting – 3 Year License Review of Cable Franchisee Performance and Compliance Minutes

September 13, 2016

6:00pm Meeting held at Great Barrington Fire House

37 State Road

Great Barrington, MA 01230

Committee Members Present: Linda Miller, Chair – Lenox
Steven Moritz – Lee
Tom Hatch – Great Barrington
William Lehman - Stockbridge

Others Present: Tom Cohan, Director of Government Affairs – Charter Communication
John Fogarty, VP Assistant General Counsel – Time Warner
William "Smitty" Pignatelli – Representative in General Court
Denise Curtin – Recording Secretary
Approximately 35 Public attendees – see sign in sheet (not all signed in)

6:00pm Meeting called to order by Linda Miller, Chair

Introductions were made of the committee.

Request was made by committee Chair, Linda Miller that all public comments are kept to 3 minutes. Anyone that would like to speak was asked to please come to the microphone located at the front of the room.

The contract that was entered into between Time Warner Cable and the five towns of Lenox, Lee, Stockbridge, Great Barrington and Sheffield states that a 3 year and a 6 year review be held. The CAC decided to open the review with a public meeting at those intervals. This is the beginning of our 3 year review of the contract.

Charter, now known as Spectrum, has acquired Time Warner Cable and has done so stating that our agreement will remain intact.

Spectrum/Charter has announced that they will be implementing an "upgrade" to our service with encrypted signals. They will require each connected TV set to have a converter box in order to be viewed by subscribers. The boxes will be provided free for two years, subsequent to which subscribers will be charged a rental rate of \$6.99 per box, per TV, that will allow the decryption of their signal.

The committee is strongly against this and feels that it is a breach of contract as it will place an undue financial burden on the subscribers.

Meeting was opened up to public comment.

The following members of the public addressed the committee and Spectrum representatives.

Carole Noble – Great Barrington

Jim Biancola – Lenox

Sheryl Rosenfield – Lee

Billy Soto – Lenox

Edward Dartford – Stockbridge

Paul O'Brien – Sheffield

Edward O'Sheskin – Lenox

Nan Wile – Great Barrington

Following are some of the issues that were brought forth to the committee via public comment:

When subscribers are currently calling in with service issues they are being told that they are going to need a box in order to correct the problem.

- This is not the case, and the committee asks that anyone who had to get this box please call and request to return the box and receive a refund. In the event that you do not get anywhere with this you are asked to call your town committee member, through your local town hall, and that member will look into the matter.

Senior Citizens that are now a "basic" subscriber will now be required to have an encryption box and be charged \$6.99 per month, per tv. This is going to be a burden on those that are on fixed incomes. This is also going to be an issue for those senior citizens that do not have the knowledge to understand how to operate these boxes.

Why is the signal being encrypted? Has this been mandated by the FCC?

- Signals are being encrypted to deter piracy of cable television signals.
- Committee members asked why encrypt the signal? We don't have a piracy problem here. We don't feel that it is proper for us to pay for something that we don't need.

How much does each decryption box cost Charter?

- Tom stated that whatever the cost is to Charter it is one of the things in the formulary to come up with the maximum allowed rate. They are not sure what the exact cost is.

Will this box be required for internet service?

- No, the decryption box will only be required for television.

Can we negotiate to get a senior rate or group rate for seniors for internet service? There is a group rate for television but not internet.

Tom Cohan addressed the attendees and told them, and the committee, that one of their commitments when they acquired Time Warner was that they were going to spend 2.5 billion dollars to extend into more commercial areas and to provide upgraded service and more advanced technology than Time Warner.

The committee referred to the contract Section 3.19 Upgrade, Technical and Maintenance Standards stating that "The Licensee's Cable Television System could be greatly enhanced, the Licensee shall investigate the feasibility of implementing such new developments and shall implement such technological developments if such implementation (i) can be done without adding a financial burden to subscribers and (ii) is technically and economically feasible and viable for the Licensee as determined by Licensee at its sole discretion".

Tom Cohan and John Fogarty feel that Charter is in compliance with the contract.

Paul O'Brien, committee member, states that if Spectrum goes forward with this plan, and does not live up to the contract, then the committee should proceed legally for the benefit of our subscribers.

Meeting adjourned at 7:12pm.

Respectfully submitted,
Denise Curtin
Recording Secretary

Sign in

September 13, 2016

Please print name

Town

Indicate

P (Press) G (Government)

Please print name	Town	Indicate P (Press) G (Government)
Terry Gowsill	GB	P - Berkshire Record
Evan Higgins	"	P - Eagle
Art Delmolino	Sheffield	
Eileen Macey	Hous.	NEWSletter
Sandy VAN	GB	Berkshire Eagle
Carol Noble	GB	
Karen Chamberland	Sheffield	
AUDREY OLSZEWSKI	LENOX	
ED OLSZEWSKI	LENOX	
Paul O'Brien	Sheffield	
Thomas Wulchon	Lee	
N. W. M.	GB	
B. P. Soto, Jr	LENOX	
Charles Plonias	GB	
Jim BIANCOLO	LENOX	
May Ann New St. Barnim's		
Gerri Rybacke	GB	
Rita Glassman	Lee	
Sheryl Resenfield	Lee	
Nadine Harper	Sheffield	
Neil Atlas	Lenox	

Sign in

September 13, 2016

Please print name

Town

Indicate
P (Press) G (Government)

Ed Dartford

Stockbridge

Lynn Stonebridge

G.B

Burt Downes

Stallbridge

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FIVE TOWN CABLE ADVISORY COMMITTEE
Representing the Towns of Great Barrington, Lee, Lenox, Sheffield and Stockbridge

Minutes
September 13, 2016
6:30pm
Great Barrington Fire Station
37 State Road
Great Barrington, MA 01230

Members Present: Linda Miller –Lenox
Steven Moritz – Lee
Tom Hatch – Great Barrington
William Lehman - Stockbridge

Others Present: Tom Cohan - Charter
John Fogarty – Time Warner
Leo Mahoney – CTSB
Denise Curtin – Recording Secretary
William “Smitty” Pignatelli
Eileen Mooney

7:28pm Linda Miller called the meeting to order after the conclusion of the public meeting.
Quorum present. 4 towns represented.

MINUTES: Linda Miller moved to dispense with the reading of the minutes of June 14, 2016 meeting and to accept the minutes as submitted with no changes. Seconded by Steve Moritz and Tom Hatch. The motion carried unanimously.

CTSB REPORT:

Leo Mahoney present to give report.

Fiber upgrade update:

- Fiber upgrade project is still ongoing. There has been a delay in fiber conversion equipment from the manufacturer. Delivery is expected by the end of the month.

Resignations:

- Three employees have given their notice and will be leaving CTSB. Erica Spizz our full time operations manager, Nicole Hall, part-time Administrative Assistant and Devon Arnold a long time videographer will be leaving.
- CTSB will advertise for these positions and anyone watching that is interested is urged to contact the CTSB office at 413-243-8211.

Annual Audit:

- Copy of audit was distributed to the committee and can also be found on the website in a couple of weeks.

Programming:

- Leo stated that one of the Stockbridge Selectmen’s meeting was not recorded due to a family issue with the videographer. It was too late at the time to find someone else. We did receive 1 complaint from a Stockbridge resident.
- A total of 53 meetings, 14 live were recorded for an approximate total of 92 hours.

- CTSB will be recording the Lee Founders Day Parade on Saturday, September 17, 2016.

Membership:

- There was a slight drop in membership due to 76 members who have not renewed yet. Leo is confident that membership will continue to grow.

Training and Studio Time:

- A total of 239 hours were logged for studio/training/editing and class.

CHARTER REPORT:

- Report was distributed to the committee prior to the meeting.
- Linda Miller requested that it be presented in person, as well.
- Fiber construction is completed. They will ask Leo from CTSB to coordinate connection.

Peg access channels –

- Requested to keep these channels in the basic tier. Tom said that they are in the basic tier and if subscribers are having trouble finding they need to do an auto scan on their TVs.

Survey –

- Linda stated that contractually Time Warner was to have this done. It was to be done 6 months prior to the 3 year review. At the last meeting you told us we wouldn't have it and Linda said this was a breach of the contract.
- Tom said that with the switch in the company it was overlooked.
- He stated it would be better to be done after the first of the year. The window has closed for this year.
- Discussion ensued and it was mutually agreed that it would be done and put in subscriber bills in the June 2017 billing cycle rather than in winter months so that part-time residents would be able to participate.
- Linda requested that the committee review, and approve, the survey prior to it being distributed to subscribers. Tom agreed to send the survey prior.

Tiling and Freezing –

- It has been 1 year since we reported the tiling and freezing issues. The tiling has stopped, however the freezing and audio continues to be a problem.
- This needs to be fixed.

Form 500 –

- This form is a state required report that tracks service records, complaints, outages, etc.
- Tom said that the form was filed with the issuing authorities back in January.
- Linda said that any communication to the towns needs to also be sent to each committee member.
- She requested that the Form 500 be for individual towns and also needs to be aggregated.
- Tom stated that he has never seen an aggregated form.
- William "Smitty" Pignatelli requested a copy of the form.

Channel 5 blackout

- Committee asked if Charter would support the committee in trying to get out of the Albany market.
- Tom said he understands the frustration, but it is a battle with the broadcast stations and out of Charter's hands.

- Smitty asked why couldn't we have Channel 4 out of Boston? This channel is broadcast in North Adams. Isn't it the same company providing service from North Berkshire to South Berkshire?

Converter boxes –

- The committee and Charter will continue to work on how to deal with this.
- Linda stated that with the amount of people that were present at the public meeting certainly indicates that people are upset.

Communication –

- The committee has requested an Organizational Chart from Charter. With changes that are taking place we need to be able to contact the appropriate people.
- Tom said that most people are still in place. He will try and get this to the committee after the first of the year.
- It was also requested that the committee receive two times per year an emergency contact list in the event of trees down, wires down, etc. This would be for the committee only and not the public.
- It is nice that we have a local office here in Lee. It is important that this office remain open.

OLD BUSINESS –

- None

NEW BUSINESS –

- None

CITIZEN SPEAK TIME -

Eileen Mooney – asked if we were taking any action on the converter boxes?

- We explained that we will explore our alternatives and speak with our attorneys.
- We are not looking to file a suit, but will do so if needed, however, it is premature to sit down with legal counsel at this time.

William "Smitty" Pignatelli was present for the public meeting and for our regular meeting.

He said that in the 30 years he has been in office, this is the most active cable committee and he commended the committee for the dedication and hard work that goes into this.

The town of West Stockbridge has nothing but high praise for Charter and Charter should be applauded for their dedication.

Linda said that West Stockbridge has been exploring whether or not to become a 6th town under our CAC.

Next meeting of the Five Town Cable Advisory Committee will be held Tuesday, December 13, 2016 in Sheffield at 6:30pm.

Motion made by Steve Moritz to adjourn. Motion seconded by William Lehmann and motion carried unanimously. Meeting adjourned 8:28pm.

Respectfully submitted,
Denise Curtin
Recording Secretary