

MILLBURY CABLE TELEVISION COMMISSION MINUTES

Municipal Office Building – 127 Elm Street – Large Conference Room

Thursday January 17, 2019 – 4 p.m.

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Present: Paul DiCicco; Joseph Coggans; Jeffrey Dore; Mary Krumsiek; Public Access Director Kevin Krassopoulos; Atty. Paul Trane, Senior Advisor with Kerbey Harrington Pinkard, LLC

Absent: Roger Desrosiers; Robert Sullivan; Associate Member Michael Lawton

Chairman DiCicco opened the meeting at 4:05 p.m.

PREVIOUS MINUTES

Motion made by Joseph Coggans, seconded by Jeffrey Dore to approve the regular session meeting minutes of December 13, 2018. **Motion** carried unanimously.

NEW BUSINESS

Atty. Paul Trane, Senior Advisor with Kerbey Harrington Pinkard, LLC, told the members that this is the law firm representing Verizon New England. Atty. Trane said the existing agreement did expire in September (2018) but it is traditional that Verizon operates full force in effect of the existing license.

A lot has changed since 2008 when the license was originally done. Options like Netflix, Amazon, and other programming options did not exist. Verizon created the competitive environment in towns like Millbury.

The proposed license is 90% of the existing license; changes proposed reflect the changes in the industry. Verizon has requested language modification in terms of modification or termination rights, which would be triggered by actions by the town if a new entrant (not a traditional provider) came in; this would allow a level playing field. There are 5 other changes:

-Gross revenue 'tweak' due to new federal accounting rules: It is how they (Verizon) account for various funds and does not affect how Verizon pays the town; the town is paid 5% of gross revenue (whatever customers in town pay for video service; as in the past it does not cover internet or telephone).

-Five (5) year term: all renewals in MA for the last few years have been 5 years.

-How PEG grants are paid: 50% is a per-subscriber grant ("collect then pay") and 50% is a fixed grant to add up to what is negotiated.

-One (1) high definition channel: total of three (3) existing standard channels and one (1) HD channel.

-Section on privacy: a town's policy cannot conflict with federal law; it reiterates that Verizon is required to follow the federal law to protect the privacy of the customers in the town.

The meeting was opened up for questions to Atty. Trane.

When asked if we can get an upgrade from the 2009 equipment, which was basically 4 drops in municipal buildings to broadcast local access "live," Atty. Trane stated that Verizon has proposed interconnection in its draft. This would pick up the signals from the sites. What they do now is an IP-based solution; if there is an IP connection at each of these locations, Verizon provides a decoder/encoder which would pick up the signal.

For the new contract date, Atty. Trane said we can pick a new effective date between us and it won't affect the grant payment.

Regarding complaints, Atty. Trane said they try to make it user-friendly for the town, upon request. You can write to Verizon and request a copy of the complaints for each month. They have an obligation under the license to resolve all complaints within 5 business days under normal operating circumstances, and under state law they need to provide a credit for continuous out-of-service issues for 24 hours. Chairman DiCicco wants a quarterly statement on those complaints, not that we have to request them, and for them to be actual complaints; if it is resolved 10 days later it is still a complaint. Atty. Trane said it is proposed in the contract that reports on service calls are provided twice a year. This is acceptable to Kevin Krassopoulos. For contract term, Verizon does not negotiate on the 5 years; there is too much change in the industry. What you don't know is too big.

Chairman DiCicco wants a service representative for Millbury. Atty. Trane explained that there is a franchise service manager, Niall Connors, whose job it is to manage the contract and Niall is available to Kevin.

Kevin said the biggest question plaguing local access is the changeover when traditional cable is not delivered over the current means, when it is delivered over IP or internet-based service; that is obviously going to affect the cable subscribers which is where our funding comes from. Will there be a provision in the future before 5 years is up where we will have to include internet revenue to stay in business? Atty. Trane said the cable license is a simple trade-off. The town says you're providing video (cable) service over facilities that are on the public rights-of-way in Millbury. Verizon says we are going to pay you 5% of gross revenue and we are going to pay you a grant for the right to do that. That's the trade. In the future there may be a way to deliver that without using the rights-of-way and that would not require a cable license and Verizon would not pay franchise fees and grants. It's the reality of the technology.

Chairman DiCicco would like Atty. Trane to put a draft contract together and submit two copies to Kevin, then the board will review it and submit it to the Selectmen. Atty. Trane asked that ascertainment needs, grants, etc. be sent to him via email and he will get it approved and added to the contract.

DIRECTOR'S REPORT

Systems – The large conference room at town hall, and the high school media center and auditorium are all HD. We use the same equipment cart for both rooms at the high school. Our main studio and the small conference room at town hall are not HD; those are the things we need to upgrade before they become obsolete. GlobeCaster, which is our console at the main studio, does not have a HD solution yet; they are working on it. Kevin likes the GlobeCaster, there are quirks, but it has been a workhorse and parts and service have been super-duper. But, it might be time to look past them because they are not ready for HD. We will start in the small conference room as it is already wired, we may need \$30,000 of equipment and it will be ready to go.

Playback System – no update

FCC Regulation – Due to the government shutdown, the FCC is shut down so there has been no movement on the ruling.

NEW BUSINESS - None

OLD BUSINESS

Contracts – The next step is to get Charter in for a contract discussion; the contract expired in December. Discussion ensued about contract renewals.


NEXT MEETING – Thursday February 21, 2019 at 4 p.m. in the Municipal Office Building.

ADJOURNMENT

Motion made by Joseph Coggans, seconded by Jeffrey Dore to adjourn the meeting at 4:55 p.m.
Motion carried unanimously.

Respectfully submitted,

Joyce Sampson



Paul DiCicco, Chairman

Joseph Coggans, Vice Chairman

Roger Desrosiers



Jeffrey Dore



Mary Krumsiek



Robert Sullivan