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County of Santa Cruz

BOARD OF SUPERVISORS

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December 13, 2018

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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-B204
Washington, DC 20554

RE: MB Docket No. 05-311

Dear Ms. Dortch:

I write today on behalf of the Santa Cruz County Board of Supervisors to express concern and disapproval over proposed rulemaking under Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Consumer Protection and Competition Act of 1992 (MB Docket No. 05-311).

Under the 1984 Cable Act, Congress established Franchise Fees and Public, Educational and Governmental (PEG) Fees as a condition for cable operators providing services to local communities. The foundation of these fees is the exclusive grant of commercial access to use public rights of ways within a municipality. As such, these fees are mutually beneficial, providing market access to operators while helping cover the associated costs to municipalities from cable TV installations and delivering other public benefits to the community, including access to important communications channels and the capital equipment necessary for the operation of local PEG channels.

Allowing cable operators to assign value to these channels and then deduct them from fees would undermine the financial structure of local PEG channels across the country and silence voices that would otherwise not be heard. These fees help assure the delivery of important content to the community and fill a niche left vacant by private operators. Non-commercial, locally originated programming on PEG channels is vital to the free expression of a community, providing both a creative and educational outlet while delivering important access and transparency to decision-makers and local

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governments that would otherwise be unavailable to residents. Local schools, local business owners, local artists, youth sports, local elected officials, and community-based media are just a few of the important community voices that would be silenced without PEG channels. PEG fees are paid by cable subscribers and merely pass through the cable companies to municipalities. The proposed FCC rule will not change the amount currently paid by cable subscribers -- it merely allows private companies to pocket the money without delivering the services currently required.

Franchise and PEG Fees represent an important arrangement that allows private industry to use public rights of way to create a vital American industry while delivering important community benefits at no cost to the industry. The FCC should preserve these fees and the access to important community and governmental voices it provides.

Sincerely,



ZACH FRIEND, Chair
Board of Supervisors