



KRIS A. KNOCHELMANN
County Judge/Executive
859.392.1415

OFFICE OF THE COUNTY JUDGE/EXECUTIVE

303 Court Street, Suite 205
Covington, KY 41012-0792

JOE SHRIVER
County Administrator
859.392.1415

December 12, 2018

The Honorable Ajit Pai, Chairman
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
Federal Communications Commission
455 12th Street, Southwest
Washington, DC, 20544

RE: MB Docket No 05-311 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 Chairman Pai,

I am writing in support of the Comments of the Cable Act Preservation Alliance ("CAPA") and the Telecommunications Board of Northern Kentucky (TBNK) in the Second Further Notice of Proposed Rule Making (FNPRM). I oppose the tentative conclusions the FCC reaches in the proceeding because of their impacts on our community.

Kenton County, along with 15 cities within the county, formed the Telecommunications Board of Northern Kentucky (TBNK) in 1996, in order to administer cable franchising matters on behalf of our cities and to pool the resources of our communities to provide Public, Educational and Governmental (PEG) Access television, as a service to our communities. Working together and pooling our resources provides cost efficiencies for our communities, more and better programming on our local PEG Access channels, and a more fully featured TV studio than any of our communities could have done alone.

Our communities are suburbs of Cincinnati, Ohio, but are located across the river in Northern Kentucky. Unfortunately, the Cincinnati based broadcasters are primarily focused on their side of the river and provide little coverage of our Northern Kentucky communities. The TBNK's local community based (PEG Access) channels help fill that need for viewers in Northern

Kentucky to watch local programming about their community. From its inception, a lot of the promise of cable TV was that it could provide a much better variety of programs and alternatives to the big three national networks - *including local programming that would serve local communities*. Since our first franchise in 1980, our community leaders have consistently made it a priority to provide Northern Kentucky coverage and programs on the cable system.

I disagree with this proposal to allow all “cable-related, in-kind contributions,” other than PEG capital costs and build out requirements, to be treated as “franchise fees,” and, as such, to allow most PEG related obligations, including lived video feeds on I-NETs, the provision of the PEG channels themselves and the connections to those channels to be deducted from franchise fees owed to Local Franchise Authorities (LFA’s,) because this would devastate PEG channels across the country or cause them to be shut down entirely. This proposed rulemaking is in direct contradiction with a plain reading of the cable law and how it has operated in franchises for decades, and is not supported the lawmakers’ own interpretation stated clearly in the congressional record.

The PEG studio at the TBNK provides local residents, schools, non-profits and community organizations in our county access to free air-time on the cable system, and use of a professional TV studio, as well as free video production classes, in order to produce local programming to help get their message heard and to inform and entertain viewers in Northern Kentucky. This furthers the goal of the Telecommunications Act, which, in part was to; “assure that cable communications providers are encouraged to provide the widest possible diversity of information sources and services to the public; and “assure that cable systems are responsive to the needs and interests of the local community.”

Our PEG channels air programming from the local Chamber of Commerce, the Covington Business Council, the county library, and the county parks, as well as public affairs talk shows with officials from member communities and agencies, and numerous informational programs about initiatives such as the Census and our local GIS initiatives, promoting community services and economic development in our community and letting business and community leaders better inform the public.

Operating much like a local version of C-SPAN, the TBNK Government Channels provide un-edited coverage of over 20 government meetings every month, including the Kenton County Fiscal Court, Kenton County Planning Commission, Transit Authority of Northern Kentucky and many city council meetings, contributing to *open and transparent government and keeping citizens informed about the actions taken by local elected officials*. Our Governmental Access channels also help educate voters, by producing the only significant television coverage of election campaigns in Northern Kentucky, including numerous election forums and debates and

the only Northern Kentucky focused election night television program every election cycle for local, state, and national races.

The TBNK Main Event Channel provides Northern Kentucky sports and community event coverage, including over 25 high school basketball games and 15 high school football games each season, as well as many Thomas More University football and basketball games, and local swimming and diving meets, in addition to numerous community fairs, festivals and events.

This diversity of local programs for and about our communities provides a needed service to the viewing public in Northern Kentucky and for the local individuals and organizations that produce the programming. This local PEG Access programming represents what congress envisioned in the PEG provisions of the 1984 Cable Act. The proposed FNPRM would violate this intent of the Act, and harm our community.

I appreciate your consideration and urge the FCC to protect PEG channels in our communities and across the country by not adopting the FNPRM.

Sincerely,

A handwritten signature in black ink, appearing to read "Kris A. Knochelmann", with a long horizontal flourish extending to the right.

Kris A. Knochelmann,
Judge/Executive, Kenton County Fiscal Court