**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street, SW

Washington, District of Columbia 20554

RE: 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, Third Report and Order - MB Docket No. 05-311

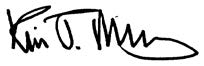
Dear Ms. Dortch,

I am writing to you on behalf of the Town of Mansfield, Massachusetts (hereafter referred to as the “Town”) to oppose 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, Third Report and Order - MB Docket No. 05-311 (hereafter referred to as the “Order”). I believe that the “Order” will be harmful for the following three main reasons:

1. The reduction of franchise fee revenues received by the Town of Mansfield will impose an unfunded mandate onto the Town and force the Town to use scarce tax dollars as a source of funding to continue local public access, educational, and governmental programming. Civic involvement, community pride, and public discourse will suffer mightily if the Order is implemented, as likely cutbacks to programming will cause local public participation to drop substantially. Already overburdened local taxpayers should not have to shoulder the burden of this Order’s cost shifts.
2. Since the FCC will be applying the Order to existing franchise agreements, it will interfere with the basic right to contract that has been the cornerstone of our Republic since its founding. Two parties that have come to an agreement for their mutual benefit should not have the government interfering with that agreement ex post facto. I believe that implementation of the Order on existing franchise agreements will set a dangerous precedent for governmental infringement on the basic rights of individuals and entities that will enhance and expand the reach of government far beyond what our Founders intended.
3. The Order would prohibit the Town from charging cable operators for use of public rights-of-way for non-cable related equipment and services and will also prohibit the Town from requiring any level of service quality or performance standards from cable operators. The cable operators would be able to use taxpayer-funded public rights-of-way for free and not have any standards applied to them regarding service quality or performance. It is difficult to see how this situation benefits the public interest in any way.

Ms. Dortch, please reconsider implementing the Order in its current form and fix the glaring errors that I have outlined in the above paragraphs of my letter. Cable operators are large, near-monopoly conglomerates that do not need to have their interests put before the rights of the public and the community as a whole. Please stand up for the beleaguered taxpayer and champion their cause. Thank you for your time.

Sincerely,



Kevin J. Dumas