

**VIA ELECTRONIC FILING**

July 25, 2019

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 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,

As a Selectman in the Town of Bedford, Massachusetts, I am writing to formally express my grave concerns and disapproval of the Federal Communications Commission's ("FCC") proposed Third Report and Order ("Order") requiring Local Franchising Authorities ("LFA") to treat cable-related in-kind contributions as franchise fees subject to the statutory five percent franchise-fee cap, and regarding the LFA's ability to use its cable franchising authority to regular the mixed-use network of an incumbent cable operator that is not a common carrier.

The Town of Bedford contracts with a local public, educational, and governmental ("PEG") channel, Bedford Cable Access Television d/b/a Bedford TV, to provide video coverage of Town board and committee meetings, as well as community-access programming and educational opportunities for youth and adults. The Town also contracts with two large cable companies, Comcast and Verizon, to provide cable services to our residents; these contracts include provisions for PEG access channels.

The proposed rule would allow cable operators to deduct the fair-market value of the non-capital obligations associated with PEG channels from the five-percent franchise-fee cap. This radical change would undermine decades of common interpretation and implementation of federal law. It would amount to a windfall for cable companies, which could double-deduct the cost of providing these necessary services to towns and cities. The order would also preempt LFAs from regulating non-cable services and equipment of franchised cable operations, including the imposition of any fees on non-cable services.

The loss of revenue created by the Order will force towns like Bedford to either divert resources away from core municipal and school services to maintain existing PEG programming, suffer a dramatic reduction in the scope of PEG channels, or lose them altogether. None of these FCC-driven options is in the public interest. The coverage Bedford TV provides for meetings of the Selectmen, School Committee, and Planning Board allows citizens to stay informed about their government—which is critical to preserving the small-town democracy that we value so much in New England.

I urge the FCC to reconsider the Order. I ask you to safeguard the public interest by maintaining the current franchise-fee structure and honoring the authority of towns like Bedford to control their public rights-of-way.

Sincerely,



Emily Mitchell  
Selectman, Town of Bedford (MA)