July 25, 2019

Ms. Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street, SW

Washington, District of Columbia 20554

RE: MB Docket No. 05-311

Dear Ms. Dortch,

I am writing to strongly relate my objection to the FCC’s proposal requiring Local Franchising Authorities to treat cable-related, in-kind contributions as franchise fees subject to the statutory five percent franchise fee cap.

I am the elected Town Moderator of North Andover, Massachusetts. It is my responsibility to preside over the legislative function of our town government that gathers to determine governance and public services for our community of some 31,000 people. Our robust community television entity, North Andover CAM, is integral to the very standard of democracy we cherish. It broadcasts community meetings, gives insight to all functions of community government including providing access to the populace who, because of innovations supported by it, offers remote participation in our annual and special town meetings which are the core determinants of town by-law, budget and enactment of other public policy. Without its service the very structure of this most open of democratic institutions will be weakened. That which is at risk is not just dollars – for they are merely the mechanism for providing entree to our communities continued survival as a democratic institution.

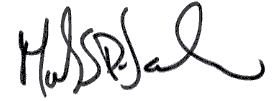
My appeal is to not change the current interpretation of regulation so as not to have the certain deleterious influence this proposed change would engender on civic life and participation.

By opening up long term contracts to contend with the fair market value assessments of these services will inevitably cause conflict. This conflict will result in access centers and municipalities diverting time and resources to avoid any reduction in the PEG Services or losing them entirely.  Nowhere in the order does it address that cable bills will decrease with any of these offsets. It is clear that the FCC’s proposed rule changes will benefit corporations and not the public interest. This is not a bargain you should seek or allow.

If there is a reduction in the PEG funding as expected based on the FCC’s most recent draft order our community cannot sustain the facility and services that we responsibly and prudently planned for, executed, and delivered upon which our citizens depend. The communities reliance on North Andover CAM as the sole provider of unfiltered, complete, and unbiased information to the community will cease and our community – and the nation – will be poorer for it.

I strongly oppose the proposed Order and ask your reconsideration. Please affirmatively choose to safeguard the public interest by maintaining the current franchise fee structure and honoring the authority of cities and towns to control their public rights-of-way – and right of access to information and responsible governance.

Respectfully,



Mark S. DiSalvo

Town Moderator

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