July 25, 2019

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 formally express my disagreement with the FCC’s proposed Third Report and 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.

This order would allow the cable operators to decide on a fair market value to obligations associated with PEG channels from the five percent franchise cap. This is a profound change from the decades of common interpretation and implementation of the federal law. The fact that this order would apply to existing contracts interferes with long-term contracts negotiated in the best interest of both parties. 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.

Our town of North Andover just completed a brand new community access studio facility this past spring after planning and designating funds for over 10 years. Now that we have a facility that suits the needs of the community, our funding has been put in jeopardy by the proposed rule changes. If there is a reduction in our PEG funding as expected based on the FCC’s draft order released on July 11th, we may not be able to sustain the new facility that we responsibly and prudently planned for over the last 10 years.

I’d like to share a concrete example of how this organization supports our community at all levels. One of my daughters participated in an excellent after-school enrichment experience provided in a partnership between our North Andover CAM (NA CAM) and our Community Programs where she learned of filming and editing using the NA CAM equipment and expertise of the staff. She was able to use the skills she learned to help film an important presentation at her elementary school for all of the schools in town to view and learn from online, an experience of which she is very proud. She has been looking forward to further experiences with NA CAM in the new facility. I would hate these changes to impact further educational opportunities for her and all youth in our community.

Additionally, PEG access channels are needed to provide the community access to its local government through its programming and coverage of meetings and events. Transparency is the enabler of civic engagement regarding important local issues. The community relies on NA CAM as the sole provider of complete, unbiased information to the community to help them stay informed about what is going on in their town. As a member of the North Andover School Committee, I directly understand how this service helps us to share with all constituents what is going in our school district as all of our public meetings are broadcast live as well as made accessible in an archived format. Losing this resource would be a detriment to our community.

I oppose this Third Report and Order and ask you to reconsider. I ask you 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.

Best regards,

Amy Mabley

219 Main Street, North Andover, MA

North Andover School Committee member, March 2016 - present