

184 Chestnut Plain Road
Whately, Massachusetts 01093

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,

As a resident of the Town of Whately, Massachusetts and a long-time employee in the Town of Amherst, Massachusetts I am writing to strongly object to the Federal Communications Commission's proposed Third Report and Order. The FCC's Order would devastate public access cable services that are a crucial part of locally sourced reporting and sharing of local government activities (meeting broadcasts and replays of recorded meetings, local news and commentary, public interest interviews, programming by community members including students as well as adults, among others).

I know of the value of public access cable services both as a ten-year resident of Whately who benefits from the southern Franklin County public access channels (operated as Frontier Community Access Television -- FCAT) and as a former member of the governing board of Amherst Media, the operator of public access channels for the region surrounding Amherst, Massachusetts.

Specifically, the FCC's proposed new rules would undermine the financial stability of modest-budget local public-access media operations by reducing the cash payments from cable operators to the towns as a direct consequence of requiring Local Franchising Authorities to treat cable-related, in-kind contributions as franchise fees subject to the statutory five percent franchise fee cap. Furthermore, the proposed new rules would unreasonably mandate immediate abrogation of current mutually agreed upon multi-year contracts between Local Franchising Authorities and cable operators that are not common carriers. These agreements clearly fall within acceptable business practices and corresponding viable business models of the cable operators.

The great value of the current arrangements lies in the stability they bring to local access programming in the public interest. The proposed changes would undermine that value in an arbitrary and capricious way, granting, as well, greater financial benefit to the local cable operators which are not needed as evidenced by their viable current business models incorporating contracts they signed.

Preservation of the current system which is working very well is clearly in the public interest. The proposed new rules are not in the public interest and would be destructive of a key portion of the system of public access to information that is essential to our vibrant and functioning democracy. I urge the FCC to support the public interest and to withdraw the proposed rule changes. Failing that, at least the FCC should allow current contracts to run their course without abrogation.

Sincerely yours,

Neal Broadus Abraham