



COMMONWEALTH OF MASSACHUSETTS

TOWN OF MILTON

OFFICE OF THE SELECT BOARD

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July 23, 2019

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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, District of Columbia 20554

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

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

MB Docket No. 05-311

COMMENTS OF THE TOWN OF MILTON

The Town of Milton appreciates the opportunity to file comments on the Third Report and Order in the above-referenced docket. We strongly oppose the tentative conclusions in the order that cable-related in-kind contributions are franchise fees that can be deducted from the 5% franchise fee cap. We are also gravely concerned that local governments will have no authority regarding cable operators' use of the rights of way to provide non-cable services. Specifically, we

oppose the conclusion that costs associated with the construction, maintenance, and service of an I-Net fall within the five percent cap on franchise fees.

The Town of Milton has been utilizing the I-Net since its creation and installation over 40 years ago. The I-Net was built out using funds collected from the subscribers of the town of Milton. The town of Milton utilizes the I-Net for PEG video origination and return, interconnectivity of all town buildings, and for voice and data. The Town of Milton relies on the I-Net for police and public school security cameras, file sharing and email access, police and fire radio traffic, and allows all town employees' access to the virtual server. The I-Net in Milton is a lifeline for town departments. Over the past 40 years, the town of Milton I-Net has generally required no additional maintenance or work above and beyond regular maintenance.

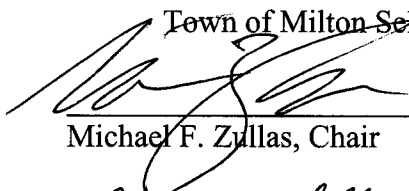
The Town of Milton has an agreement with MPEG Access Inc. to be the sole provider of public, education, and government (PEG) programming for the town of Milton. MPEG receives its funding for its programs through the franchise fee in the cable operator license agreement. MPEG utilizes these funds to provide transparency in government through its meeting coverage, after school programs for students to advance their learning in technology, studio space and equipment in school buildings to enhance the curriculum, and broadcasts religious services from homebound residents. MPEG is a vital part of the Milton community.

If the Third Rule and Order is implemented, it will have a negative impact on the town of Milton. The town would receive reduced franchise fees that would negatively affect PEG programming, which is a benefit to the entire town, not just the Local Franchise Authority. If the Town of Milton would be forced to either divert its resources away from core services to maintain the level of service that PEG programming provides, drastically reduce the amount of PEG services, or could stand to lose PEG programming all together.

In conclusion, the Town of Milton strongly opposes the Third Report and Order. We ask that you reconsider the order, and maintain the current franchise fee structure, which would protect PEG programming and safeguard the public interest.

Respectfully submitted,

Town of Milton Select Board

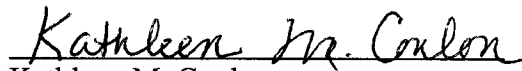


Michael F. Zyllas, Chair

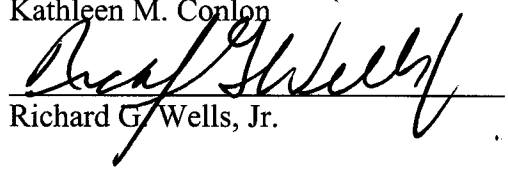


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Kathleen M. Conlon



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