

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

In the Matter of)	
)	
Implementation of Section 621(a)(1) of the Cable)	MB Docket No. 05-311
Communications Policy Act of 1984 as Amended)	
by the Cable Television Consumer Protection and)	
Competition Act of 1992)	

COMMENTS OF MOUNT MANSFIELD COMMUNITY TELEVISION, INC.

Mount Mansfield Community Television, Inc. (MMCTV) appreciates the opportunity to file comments on the Second Further Notice and Proposed Rulemaking (“FNPRM”) in the above-referenced docket. MMCTV is a not-for-profit Public, Educational and Governmental television facility reaching some 2,500 cable subscribers on two channels in the towns of Jericho, Richmond and Underhill, Vermont. We strongly oppose the tentative conclusion in the FNPRM that cable-related in-kind contributions, such as those that allow our programming to be viewed on the cable system, are franchise fees.

The effects of this change would be detrimental to MMCTV’s ability to provide important local media programming, 60% of which includes gavel-to-gavel coverage of local government and school board meetings. Redrawing the clear lines between cable franchise fees and other services such as complimentary school/library/municipality cable and Internet services, remote origination backhaul and channel capacity, would go against decades of precedent and have a negative effect on the civic life of not only our three towns – but that of the country as a whole. MMCTV provides a platform for Democratic exchange, for personal and organizational expression. Our services are exponentially helpful for our communities, as we work closely with

libraries, towns, schools and not-for-profit organizations. We provide people of all ages not only with local media content, but also the tools to make their own authentic programming. Whether it is Town Meeting Day, the Fourth of July parade, a local historical society presentation or high school graduation, MMCTV is the voice of our community, and a treasure-chest of content for decades to come.

We reject the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority (LFA) or a third-party PEG provider, rather than for the public or the cable consumer. As demonstrated above, MMCTV provides valuable local programming that is not otherwise available on the cable system or in other modes of video delivery such as satellite. Yet the Commission tentatively concludes that non-capital PEG requirements should be considered franchise fees because they are, in essence, taxes imposed for the benefit of LFAs or their designated PEG providers. By contrast, the FNPRM tentatively concludes that build-out requirements are not franchise fees because they are not contributions to the franchising authority. The FNPRM then requests comment on “other requirements besides build-out obligations that are not specifically for the use or benefit of the LFA or an entity designated the LFA and therefore should not be considered contributions to an LFA.”¹ PEG programming fits squarely into the category of benefits that do not accrue to the LFA or its designated access provider, yet the Commission concludes without any discussion of the public benefits of local programming that non-capital PEG-related provisions benefit the LFA or its designee rather than the public at large.

We invite the Commission to view for themselves the important benefits provided by local content in PEG programming. The link below is to a short video documentary entitled *Memory Map: Raceway Road* from a program series produced by paid young filmmaker interns, who dig

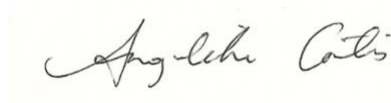
¹ FNPRM ¶ 21.

into the history of local roads. For the film, student Jonathan Griffin conducted video interviews and researched archival photos to piece together one road's history.

<http://mtmansfieldctv.org/memorymapraceway>.

We appreciate the opportunity to add to the record in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script, reading "Angelike Contis". The signature is written in dark ink on a light-colored, slightly textured background.

Angelike Contis
Executive Director

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November 12, 2018