**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 MELROSE MASSACHUSETTS TELEVISION**

MELROSE MASSACHUSETTS TELEVISION (MMTV) appreciates the opportunity to file comments on the Second Further Notice of Proposed Rulemaking (“FNPRM”) in the above-referenced docket. MMTV was established in 1992 as independent, incorporated non- profit 501c3 with a Board of Directors elected annually by the membership. Melrose is a small suburban city located seven miles from Boston. MMTV broadcasts three stations on both Comcast and Verizon networks providing cable access to approximately 10,000 households in Melrose and thousands of additional households amongst several neighboring communities. Our operation includes a government channel which is broadcast live that includes all City Council, School Committee and Special G­­­­overnment meetings and forums; a public access station where our members produce high quality award winning programming with state of the art equipment, both in studio and on location, through which we are able to offer coverage of the many cultural, religious and political events happening in the community; and the education channel which offers coverage of sporting events, musical programs, weekly news updates, live event coverage, and school functions produced by students. Indeed, we partner closely with our schools at the middle and secondary level to provide critical support for studio operations and equipment in addition to assisting their staff in curriculum development and program review. Students have won several awards through various national organizations enhancing the attractiveness of the program and expanding class offerings. Many of our students who started out with our program have gone on to professional careers in video production at national networks following highly successful years in universities and colleges around the country.

Residents in the City of Melrose have greatly benefited from the continued operational excellence of MMTV over many years. Continuous coverage of community activities, city meetings, local concerts, religious services for those unable to attend in person, professional training and workforce development for students and the disadvantaged, and providing equal access to a wide array of demographics have fostered a positive community environment for Melrose and a supportive citizenry. Building on decades of success, over the next two years our current location will be redeveloped, and we will bear the costs of temporary re-location and then costs to update our new space. For these and many other reasons mentioned herein, the MMTV Board of Directors and staff strongly oppose the tentative conclusion in the FNPRM that the value of cable franchise obligations, such as those that allow our programming to be viewed on the cable system, can be deducted from franchise fees.

The impact on our budget of reduced franchise fees would be harmful to the continuation of the outstanding service we provide the residents of Melrose. The long-standing agreement from the cable operators that such obligations are not franchise fees; using fair market value to determine the amount to be considered a franchise fee will lead to arbitrary deductions, such as use of the i-net to be considered as an in-kind payment would likely have serious detrimental effects on our operations. Senior citizens and lower income residents who are limited in their mobility and affordability would suffer without access to government information and local entertainment; students would be less engaged in civic activities and necessary skill development for 21st century living; and our general members would be limited in their creative and informative productions. MMTV rejects the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority (LFA) or the PEG provider, rather than the public. As demonstrated above, MMTV provides valuable local programming and information that is not otherwise available on the cable system. Therefore, we strongly oppose the proposed rules in the FNPRM and request that the FCC hold the LFA to the standards and obligations upon which this system of local programming, by, of and for the people was founded.

Respectfully submitted on November 13, 2018

David Roh, President Board of Directors

Patrick J Doyle, Executive Director

Michael Miner, Director of Operations & Education

Mary Beth McAteer-Margolis, Community Outreach & Membership Director

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