

**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 COMMUNITY MEDIA NETWORK

Community Media Network appreciates the opportunity to file comments on the Second Further Notice and Proposed Rulemaking (“FNPRM”) in the above-referenced docket.

Community Media Network has served 10 communities in Southeast, Oakland County, Michigan since 1983. Our Public Access Cable TV channel reaches over 140,000 households locally and the rest of the world streaming online 24/7. CMNtv provides a free-speech, open platform for residents to present their views and opinions, unfiltered and uncensored by any gatekeepers. Our organization teaches citizens and students how to use cutting-edge video equipment to communicate their ideas to their community. We provide these resources and training at low or no-cost to our residents. As a result, over 90% of our channel’s programming is comprised of video wholly created by citizens. The remaining 10% is produced by our professional staff working with citizen volunteers and students to cover local politics, community events, concerts, parades, Non-Profit Organizations, graduations and school sports and activities.

We, as a community, provide coverage of our community. We, together, cover events, activities, and issues the rest of media considers too small, too unimportant to expend resources on. We are the voice of community.

Additionally, CMNtv operates five government cable TV and streaming channels. Government meetings in Rochester, Oakland Township, Berkley, Pleasant Ridge and Lathrup Village, Michigan, are televised and archived by CMNtv. On cable TV and online, we uphold government transparency.

Community Media Network strongly opposes the tentative conclusion in the FNPRM that cable-related in-kind contributions, such as those that allow our programming — both public and government — to be viewed on the cable system, are franchise fees.

We object to the FNPRM conclusion as it goes against long-standing agreements with cable operators that such obligations are NOT franchise fees; access to channels and their necessary physical infrastructure are provided in combination with financial franchise fees as compensation for these companies' use of our public rights-of-way. Further, we object to allowing these companies' arbitrarily deciding the worth of this infrastructure and charging it against existing franchise fee payments, which will eliminate 95% of our organization's annual budget. As a result, our citizens will lose access to training, studio & video equipment usage. They will lose coverage of local issues and local events that directly & immediately impact them. They will lose their voice.

Beyond that, local government transparency will be irreparably damaged by this ruling. Existing franchise fees pay for the operation and maintenance of our community's government

media coverage. The low cost, high quality video coverage of meetings and government affairs we provide municipalities will not and cannot be replaced by our communities at anywhere near this scale. Citizen involvement with and knowledge of their community, their schools, their neighborhoods and their governments will suffer if this ruling stands.

Going deeper, we also reject the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority or our organization as a third-party PEG provider, rather than for the public or the cable consumer. As described above, Community Media Network provides valuable local programming that is not otherwise available on the cable system or in other modes of video delivery such as satellite. Public programming, government programming, public training and resource management fit exactly into the category of benefits that do not accrue to the LFA or its designated access provider. PEG programming and resources directly and wholly benefit the public and the cable customer in all aspects. The Commission has erroneously concluded — without any discussion of the public benefits of this local programming — that non-capital PEG-related provisions benefit the LFA or its designee rather than the public at large.

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

Respectfully submitted,



Christopher D. Weagel
Executive Director
CMNtv
1230 Souter, Troy, MI 48083
Nov 13, 2018