**Public Comment on M B Docket No. 05 – 311**

**FCC Proposed New Rules on Cable Franchise Fees**

November 12, 2018

The City of Fairview is a community with a population of approximately 9000 located in the Portland Metropolitan area of the state of Oregon. Our primary purpose of existing is to provide services to those who live, work and visit our community. The proposed new rules on cable franchise fees threatens our ability to provide those services, and thus threatens the quality of life of those we serve in two ways:

1. The preemption on local government regulation of non-cable services or receiving fees from cable companies for the company’s use of public Right-Of-Ways (ROW) affect the city’s operational control of the ROW and revenue received from this public asset. ROWs are dedicated by adjoining property owners for the purpose of providing public access and services. When a private company derives benefit from that asset it they should compensate the community that provided that space. It is also important that a community can regulate use of the right-of-way by private industry so that their use does not compromise the ROW’s intended use or its aesthetics.
2. The potential reduction a cable company’s franchise fees for their in-kind contributions have a negative impact on local community cable channels. As stated above ROWs are for the benefit of the public. One of the long intended benefits that cities have received has been increased transparency of local government and general community access over local community cable channels. The proposed regulation would make local community cable channels compete with other cities for services that are supported by franchise fees. This may result in some communities losing of this public information platform

As identified above we oppose the proposed regulation because it benefits private companies at the expense of the property owners in our city who provided the land upon which the public ROWs are located. These companies should continue to compensate the public for the benefits there receiving. We believe the current regulations accomplish this equitably.