



# Village of Woodridge

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November 9, 2018

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Federal Communications Commission  
445 12th St. SW  
Washington, D.C. 20554

RE: Section 621(a)(1) of the Cable Communications Policy Act of 1984 MB Docket No. 05-311

## To Whom It May Concern:

The Village of Woodridge appreciates the opportunity to file comments on the Second Further Notice of Proposed Rulemaking ("FNPRM") in the above-referenced docket. Woodridge operates a government-access channel, WCTV, available for Comcast subscribers on channel 6 and AT&T U-verse channel 99. Woodridge is strongly opposed to the proposed rules 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 reduction of franchise fees would have a significant impact on the Village's budget. Using fair market value of the Village of Woodridge PEG channel to determine the amount to be considered a franchise fee would violate the long-standing agreement from Comcast that such obligations are not franchise fees. Woodridge residents value the unique programming provided by WCTV; for example, community festival, Haunted Forest Walk, school concerts and plays, safety videos, library events, local concerts, and more. This type of community-oriented programming is unavailable on any other channel and would be a potential loss to our community. WCTV helps to capture the people and events that help define our community.

Woodridge considers it categorically untrue that PEG programming is for the benefit of Woodridge as the local franchising authority (LFA) or the PEG provider, rather than the public. As demonstrated above, Woodridge provides valuable local programming that is not otherwise available on the cable system. The Commission conclude that non-capital PEG requirements should be construed as 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 [by] the LFA and therefore should not be considered

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contributions to an LFA.”<sup>1</sup> 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 and cable subscribers.

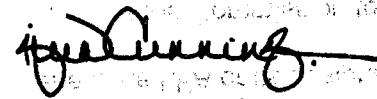
We invite the Commission to view for themselves the critical benefits provided by PEG programming. The link below is to a video of the Woodridge Park District Indian Summer Fest 2018. This video captures an important community event that featured hayrides, trackless train rides, a petting zoo, a pumpkin moon jump, yard games, face painting, and more. This fun-for-all-ages event is a Woodridge community tradition now in its 27th year. Link: <https://www.youtube.com/watch?v=Y9T4yjeUQSY&t=136s>

PEG programming helps to educate residents, and an example is a reoccurring video that WCTV creates with the Woodridge Library about upcoming library events. WCTV helps promote library events that encourage family and neighbor interactions. Link: <https://www.youtube.com/watch?v=2iLLXT91gMI&t=1s>

The Village of Woodridge is strongly opposed to the proposed rules in the FNPRM. The proposed rules would negatively affect the Village budget. Moreover, the proposed FNPRM rules put in jeopardy WCTV programming that captures events that help to define our community.

Respectfully submitted,

VILLAGE OF WOODRIDGE



Gina Cunningham  
Mayor

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<sup>1</sup> FNPRM ¶ 21.