



CITY OF MELROSE ~ In Board of Aldermen

A Resolution Supporting the Massachusetts Municipal Association's Comment Letter to the Federal Communications Commission Regarding Franchise Fees

Offered by Alderman Michael P. Zwirko, Alderman-At-Large, President of the Board of Alderman

- WHEREAS,** Since 1984 when the Cable Franchise Policy and Communications Act became law, US Cable companies have been required to fund local organizations to provide training and access to media technology and cable distribution on the local cable systems; and
- WHEREAS,** The Federal Communications Commission ("FCC") has proposed changes that will disrupt franchise fee collection and, additionally, the proposal will remove power from local governmental authorities to regulate use of the rights of way when providing non-cable services; and
- WHEREAS,** The Melrose Mass Television Inc., also known as MMTV, is the local public access cable provider for Public, Educational and Governmental ("PEG") content which is subject to the FCC's proposed changes; and
- WHEREAS,** Franchise fees, which are currently collected from cable TV subscribers, fund necessary and required governmental and community programs for Melrose. Seeking to offset the franchise fee through a proposed "in-kind" order, will weaken the funding sources for MMTV; and
- WHEREAS,** On November 2, 2018, the Massachusetts Municipal Association submitted a comment letter to the FCC citing their "grave concerns" regarding the FCC's proposal. Further, the MMA stated that the inclusion of "in-kind" franchise requirements would ultimately drain the desperately needed funding sources for PEG access providers; and
- WHEREAS,** The FCC's proposal also seeks to allow certain cable operators to bypass local regulation and construct facilities, infrastructure and equipment within public right-of-way without compensation; and
- WHEREAS** The FCC has stated that these proposals seek to "promote competition by fostering parity" which will increase the number of providers in a community. However, Melrose currently hosts a competitive cable environment with two providers and has successfully negotiated favorable terms with each, that directly benefits its residents and have enhanced MMTV's production and operations; and
- WHEREAS** In supporting the MMA's comment letter, the Melrose Board of Aldermen strenuously opposes the FCC proposed changes on Franchise Fees and preemption on use of the right-of-way and respectfully requests the FCC to reconsider its position and reject its proposal; and therefore
- BE IT RESOLVED,** that we, the members of the Board of Aldermen, have approved this resolution as a formal "reply comment" letter in support of the MMA's comment letter dated November 2, 2018, direct the City Clerk to submit this resolution to the FCC by its December 14, 2018 deadline.

Attest: Members of the Board of Aldermen











