



COUNTY OF NORFOLK
COUNTY OF PRESIDENTS
REGISTRY OF DEEDS

NORFOLK REGISTRY DISTRICT OF THE LAND COURT

WILLIAM P. O'DONNELL
REGISTER OF DEEDS
ASSISTANT RECORDER OF THE
LAND COURT

December 10, 2018

The Honorable Ajit Pai, Chairman
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner

Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, DC, 20544

Dear Chairman Pai and Commission Members:

I am writing to support the Comments of Massachusetts Community Media, Inc. (MassAccess) and to disapprove of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket 05-311.

It is the belief of MassAccess that the FCC lacks authority to impair private franchise contracts, Section 622 of the Cable Act defines "Franchise Fees", and the FCC has no right to redefine. Any attempt to redefine "Franchise Fees" weakens the authority of local municipalities.

The rule making invents "Cable-Related In-kind Contributions and "Fair Market Valuation" where there is no precedent Section 622 of the Cable Act states that "[a] no Federal agency may not regulate the amount of the franchise fees paid by a cable operator."

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Community media stations allow the residents of the 28 communities in Norfolk County, Massachusetts to watch and create uniquely local programming about their community and local events and issues of interest to them. As the Register of Deeds of Norfolk County, with an estimated population of 700,000 residents, my office has been able to provide important housing information through this public televised forum. In my opinion, this was the intent of the PEG provisions of the 1984 Cable Act – to enhance local voices, serve local community needs and interests, and strengthen our local democracy.

By defining "franchise fee" in an overly broad fashion to include "in-kind" support, the FCC's proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels, – something that was never the intent of the Act.

I appreciate your consideration of this most important issue, and I hope you will protect PEG channels in the Norfolk County communities by choosing not to adopt many of the proposals in the Further Notice. Attached is a list of the 28 communities that make up Norfolk County which is known as the "County of Presidents" as four United States Presidents were born in Norfolk County.

I thank you in advance for your consideration.

Sincerely yours,

William P. O'Donnell
Norfolk County Register of Deeds