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12-11-18

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 12<sup>th</sup> Street, Southwest  
Washington, DC, 20544

Dear Chairman Pai,

We write to support the Comments of the Cable Act Preservation Alliance ("CAPA") and to object to 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.

Our city is one of 15 cities that, along with the Fiscal Court of Kenton County, formed the Telecommunications Board of Northern Kentucky (TBNK) in 1996, in order to administer cable franchising matters on behalf of our cities and to pool the resources of our communities to provide Public, Educational and Governmental Access television, as a service to our communities. Leveraging this economy of scale provides us with cost efficiencies, more and better programming on our local PEG channels, and a more fully featured TV studio than any of our communities could have done our own.

The TBNK provides a professional TV studio for the use of residents, schools, non-profits and community organizations, as well as video production training and assistance for our local PEG Access producers - all as a public service to our communities.

The opportunity to provide our city council meetings to the community is a valuable tool of communication for our citizens. In particular, for residents unable to attend the monthly council meetings, the live feed and replays offer our citizens the ability to stay informed of their local government.

The TBNK's local community based (PEG Access) cable channels allow viewers in Northern Kentucky to watch local programming about their community that the Cincinnati, Ohio based broadcasters (located just across the river) do not provide. This includes coverage of about 20

local government meetings per month, and local election forums and speakers and an all Northern Kentucky focused election night results program every election cycle, as well as coverage of local high school and college sports and community events, and issues of interest to Northern Kentucky (as opposed to the Cincinnati, Ohio focused programming we get from the local broadcasters, who seldom cover anything in Northern Kentucky.) The channels also broadcast local history documentaries about our communities in Northern Kentucky, creating a better sense of place, exposing viewers to local landmarks and interesting stories of our past; helping viewers better understand their own community. Our PEG channels also air programming from the local Chamber of Commerce and the Covington Business Council, as well as talk shows with local elected leaders, promoting economic development in our community and letting business and community leaders better inform the public.

Promoting a diversity of views and information through local programs like these was clearly the intent of the PEG provisions of the 1984 Cable Act, in order to serve local community needs and interests, and strengthen our local democratic process. The FCC's proposals contradict the clear intent of the cable law (from the 1984 Cable Act to the Telecommunications Act of 1996) and decades of application of that law in franchise agreements.

The FNPRM would circumvent the franchise negotiation process set forth by congress in the Cable Act, and force communities to choose between franchise fees and PEG channels. This was never the intent of the Act.

We appreciate your consideration and urge the FCC to protect PEG channels and not adopt the FNPRM.

Sincerely,



Chris Moriconi, MPA

City Administrator

City of Independence, KY 41051