December 11, 2018

The Honorable Ajit Pai, Chairman  
The Honorable Michael O’Rielly, Commissioner

The Honorable Brendan Carr, Commissioner  
The Honorable Jessica Rosenworcel, Commissioner   
Federal Communications Commission

455 12th Street, Southwest  
Washington, DC, 20544

*RE: MB Docket No 05-311 In the Matter of 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*

Dear Chairman Pai,

I am writing in support of the Comments of the Cable Act Preservation Alliance (“CAPA”) in the Second Further Notice of Proposed Rule Making. I oppose the tentative conclusions the FCC reaches in the proceeding because of their impacts on our community.

I was introduced to PEG in 1992 and began a long tenure of producing daily and weekly student lead Morning News, special events, student plays, talent shows and sports programs for our close circuit classroom TV’s. With Board, parent and student permission, TBNK assisted in building a broadcast studio in the school and we began to share our students programs on PEG on many channels as well. Students would produce Public Service Announcements for organizations to be rebroadcast too. What I’m saying is our student went from in school audience of 250 to over 300,000 people in Northern Kentucky. We’ve had many students who’ve gone on to careers as video and electronic technicians, studio engineers and TV news broadcasters. So please consider the ramifications of what the change would do to our students.

I’ve seen what can happen, in one instance, a county promised to work with the local schools, the school district supported the idea. What happened, it became and show place for politicians to broadcast themselves and their committees.. Not one student program ever! No PEG, just G….

Our local Public, Educational, and Governmental, (PEG) Access channels provide local programming about our community. Our local PEG TV studio at the Telecommunications Board of Northern Kentucky, also provides citizens, schools, and community organizations access to a professional studio, field and editing equipment, as well as training classes and mentoring.

In addition, local PEG programming includes coverage of local community events, and many of our schools’ sporting events, and keeps the public informed by airing local government meetings, as well as Northern Kentucky election programming. These PEG channels and facilities are a valuable service to our communities in Northern Kentucky.

By allowing cable providers to deduct the “value” of local PEG channels, the FCC’s proposed FNPRM will cause the shutdown of PEG channels in most communities across the country, or severely shrink their resources and programming to almost nothing. These PEG channels have existed on our communities for decades as a part of franchises authorized by Cable Franchise law, which this misguided FNPRM attempts to re-legislate by over-reaching the authority of the FCC.

In addition, the FCC further compounds this mistake by proposing to allow the “value” of the PEG channels and other cable related obligations to be deducted from franchise fees, instead of the “cost.” This misguided FNPRM also does not even provide any kind of calculation or limitations for determining such “value” or “costs.” This incomplete construct opens the door for providers to establish any sort of inflated amounts that they wish, with no recourse or negotiations for the other parties involved, and, further, will encourage lawsuits over this issue.

I urge the FCC to protect PEG channels and funding in our community and others, which have been authorized by the law written by our elected officials, and to abandon this attempt to re-write the law; and to not to adopt the Further Notice of Proposed Rule Making.

Sincerely,

Leo Dolan