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December 12, 2018

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

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

Dear Chairman Pai,

On behalf of Davis Media Access (DMA) in Davis, CA, I am writing to support the Comments of the Cable Act Preservation Alliance ("CAPA") 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.

DMA provides public and educational access services to Davis and surrounding communities in Yolo County, and has done so for 30 years. We grew from a single public access channel launched in 1988, to a community media & technology center encompassing digital media training, low-power FM radio, and a wide variety of local content creation and distribution. We provide a vital communication link for non-profit organizations, schools, churches, local government, and citizens. DMA's programming helps our community stay connected.

DMA facilitates and produces uniquely local programming about local events and issues of interest, which 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.

We strongly support the comments made by thousands of individuals, local and county governments, non-profit groups and organizations such as the Alliance For Community

Media, NATOA and others.

I would like to briefly respond to a first-round comment filed on this issue:

The NCTA claims that these fees stifle innovation. This argument is trotted out every time an industry has to provide a service that they want to stop providing. Innovation in the cable industry is clearly not being stifled by the in-kind costs. Cable operators have been expanding the number of channels available, upgrading their signals to all digital/fiber and are constantly increasing the speed of their internet service, all while enjoying record profitability – AND the fees in question to their LFA. The fees are certainly not “excessive” or “burdensome” by any reasonable definition.

The arguments in favor of the Proposed Rulemaking do not stand up to even a minimal level of scrutiny. This Proposed Rulemaking should be rejected in favor of protecting PEG channels in communities all across the country.

Sincerely,

Autumn Labbe-Renault
Executive Director
Davis Media Access