December 13, 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,

I write to support the Comments of the Cable Act Preservation Alliance (“CAPA,” File ID 1114050901562) 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.

The 1984 Act was intended to create a system whereby cultural production and distribution would not be controlled by a few corporate gatekeepers. Cable companies agreed to fund an infrastructure so that the public would have access to production and distribution as part of the deal that gave them virtual monopolies in most service areas. Even with the internet, local production and distribution spaces are essential, as access remains a paramount issue. By allowing cable companies to charge for pre-existing infrastructure investments, the FCC would essentially kill the business model that allows public access to function. We at ORCA Media have used PEG funds efficiently to serve 13 communities in Central Vermont. Please do not make a decision that would destroy our ability to perform our democratic mission.

Our local presence enables the residents of Central Vermont to produce and watch uniquely local programming related to our community. And that 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 appreciate your consideration and hope you will protect PEG Access in our community and others by choosing not to adopt many of the proposals in the Further Notice.

Sincerely,

Michael Abadi,

Chair, ORCA Media