

# Town of Shirley

## BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812  
Michael McGovern, Town Administrator

TEL: (978) 425-2600.x12  
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December 10, 2019

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:

My name is Michael McGovern, the Town Administrator of Shirley, MA. I am writing on behalf of Board of Selectmen members Debra Flagg, Chair; Bryan Sawyer, Vice-Chair; and Enrico Cappucci, Clerk to express their opposition of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in ***Implementation of Section 637(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection Act of 1992, MB Docket 05-311.***

The Town of Shirley relies heavily on Shirley Public Access Corporation (SPACO) to deliver information to our residents. Select board meetings, as well as many other board meetings are regularly broadcast and viewed by residents unable to attend in person, giving them a voice and an opportunity to stay informed. Citizens can watch uniquely produced local programming, both entertaining and informative. SPACO continues to be a partner to local government and our education system by offering unlimited access to governmental and community proceedings that directly affect the daily lives of Shirley residents.

We agree with MassAccess' that the FCC has no right to redefine "Franchise Fees" set forth in Section 622 of the Cable Act; this is an attempt to circumnavigate existing law. Section 622 states that "no Federal agency may not regulate the amount of the franchise fees paid by a cable operator. By defining "Franchise Fees" 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 – something never intended by the 1984 Act – and could ultimately result in such reduction in franchise fees as to defund Public, Educational, and Government (PEG) television access in Shirley.

We strongly urge you to protect PEG access in our community and others by choosing not to adopt many of the proposals in the Further Notice

Sincerely,

A handwritten signature in black ink, appearing to be "M. McGovern", is written over the typed name.

Michael McGovern  
Town Administrator  
Shirley, MA