



Town of Sterling

Board of Selectmen

Richard Lane, Chair
John Kilcoyne, Vice Chair
Maureen Cranson, Clerk

The Honorable Ajit Pai, Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, DC 20554

December 12, 2018

Dear Senator Warren,

We write to support the Comments of Massachusetts Community Media, Inc. (MassAccess) 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 Town of Sterling is rural community of 7,800 residents in central Massachusetts. In a world of rapidly evolving technology, drastically shrinking print media and questionable data sources on social media, the role of local cable access television bringing news and community activity directly to subscribers cannot be understated.

For the past 10 years the citizens of Sterling and the neighboring town of Lancaster, have shared in the benefits that Sterling-Lancaster Community Television provides as a public, educational, and government access facility. These relationships are positive, informative, engaging and necessary.

We support comments made by MassAccess, especially the following:

- The FCC lacks authority to impair private franchise contracts
- Section 622 of the Cable Act defines "Franchise Fees" and the FCC has no right to redefine
- Any attempt to redefine "Franchise Fees" weakens the authority of local municipalities
- The rulemaking invents "Cable-Related In-Kind Contributions and "Fair Market Valuation" where there is no precedent
- Section 622 of the Cable Act states that "[a]ny Federal agency may not regulate the amount of the franchise fees paid by a cable operator."

The presence of Sterling-Lancaster Community Television enables the residents of Sterling to watch uniquely local programming about their community and local events and issues of interest to them. This is the original 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 force communities to choose between franchise fees and PEG channels; something that was never the intent of the Act. The Select Board requests your consideration to protect PEG channels in our community and others by choosing not to adopt many of the proposals in the Further Notice.

Sincerely,

STERLING BOARD OF SELECTMEN

cc. Elizabeth Warren, US Senator
Edward Markey, US Senator
James McGovern, Rep. of the
2nd Congressional District of MA
Chris Detsikas, SLCT

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