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CITY OF VALPARAISO
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VALPARAISO, FLORIDA 32580

February 5, 2007

To: Representative Traviesa

Cc: FCC Commission Chairman Kevin Martin
Senator Goetz
Representative Sansom
National Telecommunication Association
National League of City's
Florida League of City's
City Attorney Tampa Florida

FILED/ACCEPTED

MAR 20 2007

Federal Communications Commission
Office of the Secretary

Subject: State of Florida HB 529

The City of Valparaiso, Florida has provided Cable TV services to its residences for over "30" years; it also provides Fire, Assault, Intrusion & Medical Alarms, and Digital & Hi Definition cable programming as well as Internet service. The entire City is served. There's no "Cherry Picking." Attached is a copy of the January 29th North West Florida Daily News article. Please review your "Facts", the City of Valparaiso has "NEVER" delayed or refused to issue a telecommunication franchise to "ANY" requestor, also there has never been a "NO" response to a request for a telecommunication franchise. So I say "if it aint broke don't fix it"

Sincerely,


Thomas G. Miller
Commissioner

Enclosure: North West Florida Daily News article

No. of Copies rec'd 2
List ABCDE

"Home of the World's Largest Air Force Installation, Eglin Air Force Base, Florida"

Local governments say FCC not playing fair in cable decision

Associated Press

The nation's chief telecommunications regulator stands accused of misrepresenting the facts while pushing through rules that will make it easier for big phone companies to get into cable television.

The policy change won approval by the Federal Communications Commission on a 3-2 vote Dec. 20. That angered local government officials who claim the agency overstepped its authority and now promise a legal challenge. The vote also drew the threat of a "legislative fix" from a powerful congressman.

The new rules are meant to spur more competition for cable television providers. They require local governments to speed up the approval process for new competitors, cap the fees paid by new entrants and ease requirements that competitors build systems that reach every home.

Consumer groups long have complained about rising cable rates and poor service, blaming the problems on a lack of competition.

But opponents of the FCC's action say the new rules amount to a "federalization" of the cable franchising process. They contend the change will mean a loss of local oversight, fewer dollars for public and government access channels and the possibility of "cherry picking" by companies that choose to serve only the richest neighborhoods.

Supporters of the policy change have cited dozens of instances in which local governments have made unreasonable demands of new competitors, effectively blocking them from offering service.

It was one of those claims that



AP

Federal Communications Commission Chairman Kevin Martin (right) speaks with Walter McCormick, president and CEO of USTelecom, at the TelecomNEXT convention last March in Las Vegas. David L. Smith, the city attorney in Tampa, said Martin made a "blatantly inaccurate allegation" while quizzing an agency employee during a commission meeting about Tampa's conduct during franchise negotiations with Verizon Communications Inc.

raised the ire of David L. Smith, the city attorney in Tampa, Fla. He said the FCC chairman, Kevin Martin, made a "blatantly inaccurate allegation" about Tampa's conduct during franchise negotiations with Verizon Communications Inc.

Martin was quizzing an agency employee during a commission meeting before casting his vote when he asked: "Is Verizon still required to film the tutoring classes for the math classes in Tampa, Florida in order to get a franchise?"

Rosemary Harold, a deputy chief in the FCC's Media Bureau, answered, "Yes, Mr. Chairman."

Harold was put on the spot earlier by commissioner Jonathan Adelstein, who voted against the FCC proposal. Adelstein asked Harold to cite "specific communities" that are "particu-

larly having a problem right now" in gaining a franchise.

Smith, who negotiated with Verizon in Tampa, says Martin's allegation neither was in nor a condition of the franchise agreement. Martin's characterization, the lawyer said, was "complete and abject fiction."

Smith also said the FCC had never contacted him about the claim.

Meanwhile, local governments are readying for a legal fight.

The National Association of Telecommunications Officers and Advisors, a trade group that represents local governments on cable franchising issues, has hired a law firm to challenge the decision. The group is joined by the National League of Cities, the National Association of Counties and