

Meeting Minutes
Towns of Great Barrington, Lee, Lenox, Sheffield, and Stockbridge
Five Town Cable Advisory Committee Negotiating Subcommittee for Negotiating
Renewal Cable TV License with Charter Communications (Spectrum)
Wednesday May
May 24, 2023 at 3:00pm; Virtual Meeting over Zoom

Subcommittee members present: Linda Miller, Chair

Dennis Arseneau

Rene Wood

Rich Fredericks, Exec. Director, CTSBTV

Charter Communications:

Paul Abbot, Esq.; VP, Local Government Affairs

Dan Reing, Esq.; Outside Counsel; Mintz

John Maher, Director, State Government Affairs

The meeting was called to order by Chair L. Miller at 3:02pm.

The first matter discussed was the offer of \$150,000 for PEG Capital Equipment, with the CAC members noting the insufficiency of this funding, particularly when approximately \$30,000 for HD conversion is included. Cable TV renewal or new licenses filed in MA in 2023 were discussed in terms of the PEG Capital provided, as well as the Franchise fee percentage, with some licenses at 5% Franchise fee and at/over \$7/subscriber/yr for PEG Capital. \$274,000 equals about \$3.87/year/subscriber. (Also need to add in what hasn't been collected from last contract.) Discussed in line with anticipated programming cost increases/ subscriber. D. Arseneau will forward specific information on these licenses to P. Abbot, which lists the municipality, population served by the Cable TV license, amount paid in PEG Capital, and Franchise Fee percentage.

Different ways to structure the recapture of the PEG Capital funds were discussed, including accelerated subscriber fees in earlier years and less, if needed, in later years as funds are recaptured, as well as the percentage of Franchise fees. L. Miller reminded the group of the Time Warner Cable \$200K+ PEG Capital funding 10 years ago and what that amount would be in today's dollars. P. Abbot views this funding on a per subscriber basis. The impact of streaming services and the rise in household bills for such services; increasing declines in cable TV subscriptions; lack of funding from streaming services; need to shift to Community Media were all discussed. With the 5 Towns' higher percentage of an older population, the decrease in cable TV subscriptions needs to be evaluated on the 5 Towns' numbers, not national numbers, as less of a younger cohort in the 5 Towns. Charter members were not in a position to comment on possible PEG Capital financing options but will see what internal discussions yield.

Next the Form 500B methodology for collecting and reporting complaints was reviewed with CAC members incredulous at the numbers reported for 2022 – no complaints in two of the five Towns and very small numbers of complaints in the other three. Charter was questioned on how this was possible, given the DTC's definition of a complaint and they let the CAC know there have been internal discussions regarding DTC custom and practice of complaint filing over the years, and just like the adjustments Charter made in providing a clearer explanation of its billing, they are working on complaint reporting, which will be seen in the Form 500B filed for 2023 complaints. The discussion was heated at times and the CAC may send a letter to DTC on this matter.

Because the CAC had not had time to sufficiently review the recently received D. Reing's 5.22.23 draft license renewal agreement update, there was no discussion of D. Arseneau's chart of open items in the draft agreement nor a planned discussion on Articles 2-8, plus Exhibits. Article 1 was to be discussed, but not all CAC members were prepared to do so.

The Agenda for the 6/5/23 negotiating meeting was set: PEG Capital; HD upgrade costs; Article 1; Articles 2-8 and Exhibits; and setting the meeting schedule for the summer.

The meeting ended at 4:01 on a motion by R. Wood, seconded by Dennis Arseneau, and unanimously approved.

Respectfully submitted,

Rene C. Wood

Sheffield delegate to Five Town Cable Advisory Committee

Documents used at the meeting:

- Agenda 5-24-23 Agenda
- Chart of changes made to draft license renewal agreement, with comments
- Article 1 from Dan Reing's 5.22.23 draft license renewal agreement update; no updates from 4.11.23 version
- Chart of MA Cable TV license agreements approved in 2023, to date