

FIVE TOWN CABLE ADVISORY COMMITTEE  
Representing the Towns of Great Barrington, Lee, Lenox, Sheffield and Stockbridge  
September 12, 2023  
Sheffield Town Hall, Sheffield, MA

Members Present: Linda Miller – Lenox  
Dennis Arseneau - Lenox  
Tom Hatch – Great Barrington  
Dan Miller – Great Barrington  
Rene Wood – Sheffield  
Anita Schwerner – Stockbridge

Others Present: Rich Frederick, CTSB  
John Maher – Charter

6:30pm Linda Miller called the meeting to order.  
Quorum met with representatives from 4 towns, Lenox, Great Barrington, Sheffield and Stockbridge.

**MINUTES:** Motion made by Rene Wood to dispense with the reading of the minutes of December 13, 2022 and accept the minutes as presented.  
Seconded by Tom Hatch.  
Motion carried unanimously.  
Our March 14, 2023 meeting was cancelled due to the snowstorm on that day.  
Our June 13, 2023 meeting had to be cancelled due to lack of a quorum.

**CTSB REPORT**

- Rich Frederick from CTSB presented the report.

**CTSB REPORT:**

- Rich thanked the Cable Advisory Committee and Spectrum management for their continued work negotiating a new contract for the five towns.
- CTSB continues to monitor state and federal bills that look to either eliminate community media centers or create a new way of funding.
  - Included in these minutes are portions of the CTSB report that Rich Frederick read at the meeting.
  - It encompasses all of the bills that are before state and federal governments.

## **FROM THE CTSB EXECUTIVE DIRECTORS REPORT**

- [H.R. 3557](#), entitled the “American Broadband Act of 2023,” represents an unprecedented and dangerous usurpation of local governments’ authority to manage public rights-of-way and land use; it strips local governments of property rights and monetary compensation in favor of cable, wireless and telecommunications providers. The bill also waives historic preservation (NHPA) and environmental (NEPA) rules. Yet in return for these gifts, the bill imposes no obligations on these companies to provide broadband to “unserved” and “underserved” Americans.
- H.R. 3557 should be opposed, as it:
- For Cable: Removes Ability of State and Local Franchise Authorities to Enforce Franchises
- Eliminates cable franchise renewals, thereby removing the ability of state or local communities to enforce franchise obligations such as build-out, customer service, and local PEG Access channels.
- Grants a cable operator the unilateral right to terminate or modify a franchise but creates no obligation to remove a cable system from rights-of-way. This would eliminate cable franchise fees but allow operators to maintain other services. It would also allow operators to unilaterally eliminate provisions of contracts they deem commercially unfeasible.
- Legislation in favor of community media
- Bill #S34 “An act to modernize funding for community media programming” would create a new source of funding for PEG stations in Massachusetts.
- Following the model of cable franchises, the bill would impose a 5% fee on digital streaming providers which are using public rights of way in order to sell their services to Massachusetts residents. Monies would be collected at the state level twice a year and then distributed to the state general fund, municipalities and community media centers. Distribution would be based on population and done via existing distribution methods.
- On July 13<sup>th</sup> of this year community media stations and leaders of our advocacy agency’s such as MassAccess and Alliance for Community Media provided testimony on Beacon Hill regarding bill S.34, the video is available to watch on our CTSB YouTube page. David Gauthier President of MassAccess said it best during the testimony “If Bill S.34 does not pass we will back in two years’ time to discuss closures and layoffs”. Many of our elected officials asked would we be burdening our residents with more taxes? If the state of Massachusetts. If S.34 does not pass the cost will then fall on local municipalities and those taxes are not optional for residents.
- States which have already imposed a similar fee on streaming services include: Florida, Iowa, Minnesota, Nebraska, North Carolina, Ohio, Pennsylvania, South Dakota, and Washington. (Individual municipalities in California, Colorado and Illinois have also done so.) While these states are taxing streaming providers the money is not making it to Community Media centers in those states.

**END OF COPIED PORTION OF REPORT**

### Cable Subscriptions

- CTSB is only as good as the # of cable subscribers.
- Subscriptions to cable television have dropped 10% from the end of 2021 to the end of 2022, the largest single year loss since data was first public.
- Rene Wood stated that the market we know now w/CTSB is going to be obsolete.
- Lt Governor, Kim Driscoll sent a letter to all Town Manager/Administrators in the 351 cities in Massachusetts searching for ideas to a way to retain PEG Community Channels.
- Each of our committee members should go to your town administrator to figure out a way to retain the peg channels.
- Rich Frederick will be meeting with all the town Select Boards to discuss the situation.
- Dennis Arseneau asked if anyone of the CTSB Board was a grant writer?
- Dennis suggested that CTSB look outside and keep on their radar as a way to possibly get grants.
- Anita Schwerner has contacted State Senator Paul Mark. He has signed on as a co-sponsor for the bill and will do what he can to promote this in the Senate.
- Anita has also contacted Representative Smitty Pignatelli.
- Discussion was had about putting spots on CTSB to contact your elected officials.
- This should include all contact information for our officials so that people can get in touch with them for their support of Community Television.

### Memberships

- Current membership is 107 individuals, 14 organizations, 679 Facebook followers and 410 Instagram followers.

### SPECTRUM REPORT

- John Maher presented the report.
- Thanked the committee for all of your hard work.
- Communications are working well.
- John Maher also discussed a new initiative that Charter has implemented to help them find and correct potential issues on their network before customers even know they exist.
  - The initiative is called “Proactive Maintenance” and Spectrum will notify customers of a service issue and they will fix it for free before the customer has to call Spectrum with problems.
- John updated the committee on the “Disney/ESPN” elimination. It was settled on September 11, 2023.

### LICENSE UPDATE

- Our current contract has expired. The state has been made aware and knows that we are continuing to work to get this done as soon as possible.
- Hopefully this will be done prior to our December meeting.
- There were a number of issues that were being discussed and we feel this is a much stronger contract.

## **NEW BUSINESS**

- Chanterwood Road in the Town of Lee has 2 dozen or more homeowners that are trying to get cable.
- They have been denied by John Leoni, saying it may be a density issue.
- These people are willing to pay any overages that may be incurred.
- John Maher asked Linda Miller to please send an email to him and he will look into it.
- The Town of Lee has no representation on the committee so please go through Linda Miller or Dennis Arseneau.

## **OTHER BUSINESS**

- The election of Chairman for the committee was to be held in March, but due to the cancellation of the meeting because of weather, and the June meeting also being cancelled, the election of Chairman was done tonight.
- Dennis Arseneau nominated Linda Miller to be Chairman of the Five Town Cable Advisory Committee.
- Dan Miller seconded and the vote passed unanimously.
- Linda Miller agreed to accepted the nomination and would stay on as Chairman.
- Volunteers are always needed at CTSB.

**NEXT MEETING DATE** – Tuesday, December 12, 2023 in Lenox.

Motion made to adjourn by Rene Wood, seconded by Tom Hatch.

Meeting was adjourned at 7:50pm.

Respectfully submitted,

Denise Curtin

Recording Secretary