



Portsmouth
Cable Commission Ascertainment Hearing
7:00 p.m. – September 8, 2005
City Hall/City Council Chambers

The Portsmouth Cable Commission held a Public Hearing on Thursday, September 8, 2005 at 7:00 p.m. at City Hall in the Council Chambers.

John Gregg Chairman called the meeting to order at approximately 7:00 p.m.

- I. Call to Order** - The following were present:
- John Gregg, Chairman
 - John Bohenko, City Manager
 - Louis Vinciguerra, Commissioner
 - Jeffrey Landry, Commissioner
 - Kathleen Pearce, Commissioner

Also present were Alan Brady, City of Portsmouth Webmaster and Asst. City Attorney Suzanne Woodland.

- I. Introduction – John Gregg** – Chairman Gregg introduced the members of the Commission. He then read a statement explaining what is trying to be achieved. Comcast has an existing Television Franchise Agreement with the City that will expire on December 31, 2007. Comcast has requested a renewal of this Agreement in accordance with the Cable Communications Policy Act of 1984. The Commission is conducting a series of public hearings as required by that Act. The intention of this hearing is to solicit input from the general public concerning 1) the future cable-related interests and needs of the community, and 2) performance of Comcast under the existing Franchise Agreement. Under the existing Agreement, Comcast pays the City 5% of its Portsmouth generated gross annual revenue. A portion of this revenue funds the City's Government Channel 22, which broadcasts City Council, School Board and other Boards and Commissions. This hearing is an opportunity to express your views on Comcast's performance under the existing Agreement as well as future cable-related needs of Portsmouth and your views on a community access channel. Some Portsmouth citizens have expressed an interest in development of a community access channel to carry locally produced, non-governmental programming. The Cable Commission is interested in hearing your views on any aspect of the cable service

you receive or would like to receive. It is important to note that the City of Portsmouth has virtually no control over prices charged by Comcast and the programs and channels they offer.

Chairman Gregg introduced Jason Whittet, Comcast Government & Community Relations Manager. Mr. Whittet informed the Commission that Comcast is the largest cable operator in the country, serving over 2 million customers and offers a wide range of products, cable TV, digital cable, video on demand, high definition TV, high speed internet, digital phone and soon digital voice, all of which are available to residents of Portsmouth. It is important to consider the costs of meeting the needs of the City. Comcast will work together with the City through the renewal process to determine the best balance of the City's expressed needs with the cost to subscribers of meeting those needs. It is also important for the City and the customers to understand that under Federal law, the cost of items requested by the City as part of the renewal is passed through to customers.

II. Public Hearing to Ascertain the Cable Needs of the Public - There were twelve public speakers:

Gary Lowe, 105 South St., a resident since 1998 coming from Chelmsford MA. Referred to access TV channel being put into classrooms in the 60's in Chelmsford. There was one access station put into the high school and in 1997 he became a board member of the board of Chelmsford Community Television. Is in favor of community and offered to help in any way he could.

Barclay Jackson, 360 Marston Avenue, commented that the Commissioners are in a lucky position now as they are in a position to make Portsmouth a better place for its residents. She is a satisfied customer of Comcast for cable TV, high speed internet and other things. Feels there is a real opportunity to provide a forum for the public to create a public voice for information, hobbies, etc. It would be something she would watch.

Bill St. Laurent, 253 Colonial Drive, spoke about the pricing and asked if there was any way to put into the contract how the pricing could be like a percentage? In favor of the three-year contract. Need to be very careful getting into public access channels. It can be very costly. Suggested looking for public and private donations to keep it running and not just franchise fees coming in from Comcast. It can become very expensive for the City.

Former State Senator Burt Cohen, 27 Beech Hill Road, New Castle, remembered that Continental Cable TV had a franchise and there was a lot of public access. There is tremendous amount of creativity here in Portsmouth with the Arts, etc. There is a tremendous potential for creativity in the community and as with the success of Portsmouth Community Radio helps bring the community together.

Emily Wiggin, 57 Hillside Drive, a Comcast customer, citizen and member of local media, supports renegotiation of the City's contract with Comcast in support of at least one if not more public access channels.

Eric Pearce, 876 Woodbury Avenue, and active with Portsmouth Community Radio. In support of creating a public access channel. Would not only be informative and entertaining without commercials but also create an educational resource and a sense of community.

Rick Horowitz, 127 Gates Street, stated the franchise fee is a tax, \$280,000 coming from Comcast is really coming from citizens wallets going into Comcast and passed through general fund. Need to look at our priorities, spend money for access TV or what the City really needs. If people want a hobby they should pay for it themselves.

Byron Rabyn, 406 Pleasant St., wholeheartedly endorses the adoption of the access channel, a great resource for creative talents. Offers up his franchise fees for use of public access channel.

Martin Cameron, 469 Ocean Road, against use of \$275,00 for expanding public access channel. It is basically our tax money and feels there are better ways to spend it. We are now going through an energy crises referring to the fuel increase this year for City Departments, snow plowing, etc. Both gas and oil fuel is doubling for the residents and the City and would rather see our tax money go towards the extra fuel costs. Cannot see his tax money going into an extra TV channel.

Brian Gregg, 55 Congress St., supports competition and a public access facility. Comcast may not necessarily be our Cable providers. There is competition out there, it is a healthy market place.

Nancy Pollock, 300 Rockland Street, is strongly in favor of acquiring a public access channel or channels. Feels it would be a wonderful means of building community and would allow and encourage all citizens to participate and experience the cultural richness of Portsmouth.

Tim Stone, 595 F.W. Hartford Drive, President Board of Trustees of Portsmouth Community Radio and feels community access channel would be a great asset.

Chairman Gregg then read the following correspondence to be put into the record:

Letter dated September 8, 2005 from Suzanne Danforth, 197 Madison Street. "To the Cable Commission: Please be advised that public access to cable is an innovation I strongly support for this community. It strikes at the heart of the foundation of a free society via the 1st amendment, & particularly in this vibrant

City varied access to air waves should result in dynamic and representative programming. Thank you”

e-mail dated September 8, 2005 from John Welch, 4 Bracket Lane. “As I mentioned in our telephone conversation a few minutes ago, I urge the Cable Commission to avoid including in the new Comcast contract any wording that might preclude or discourage other providers from providing in the future cable/communication services to the citizens of Portsmouth. Thank you for your attention.”

III. Closing Remarks – John Gregg - Louis Vinciguerra stated he wants to make sure the whole community is educated as to what this is, the pros, cons and the cost so that the public understands.

Chairman Gregg thanked everyone for coming this evening. Stated that the ascertainment process is on-going, there will be other public hearings and will look for opportunities to get feedback from citizens.

IV. Adjourned - approximately 8:50 p.m.

Respectfully submitted,

Elaine E. Boucas