



**Portsmouth  
Cable Commission Meeting  
3:30 p.m. – June 11, 2009  
City Hall/City Manager's Conference Room**

DRAFT

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The Portsmouth Cable Commission met on Thursday, June 11, 2009 at 3:30 p.m.

- I. Call to Order - The following were present:
- John Gregg, Chairman
  - Kathy Pearce, Commissioner
  - Brian Gregg, Commissioner
  - Bill Southworth, Commissioner

Also present was Suzanne Woodland, Assistant City Attorney and Alan Brady, Communication Supervisor and Russ Van Billiard. Absent: Nancy Beach

Chairman John Gregg called the meeting to order at approximately 3:30 p.m.

The chair welcomed Bill Southworth to the Committee and the members introduced themselves and gave their background.

**Approval of Minutes – May 28, 2009 MOTION** made by Brian Gregg to approve the minutes May 28, 2009 meeting. Seconded by Bill Southworth. Motion passed.

**Informational Item – IPTV - FairPoint Update** – The Chair referred to the meeting with Fairpoint who were happy with the outcome of the trial. The purpose of the trial was primarily to determine that the equipment and delivery mechanism worked properly. There were a few issues as they went along and felt by the end of April when the trial concluded they had overcome those. Surveys were done consistently through the course of 3 months with the trial members who considered switching should Fairpoint decide to actually launch this service. It was clear that they were not going to get the green light to expand right away. They are under the gun in all three states for completion of the merger by the deadline, end of June. It is hoped that by the end of July they will have better news. They indicated they would be happy to keep Portsmouth at the head of the list of communities they will be working with in expanding and we assured them we would be delighted.

Suzanne Woodland brought the Committee up to date regarding Portsmouth Housing Authority (PHA) who have not heard anything from Comcast. There will be two documents one referring to PHA outlining everything that has fallen through and the Cable Commission cover letter is in draft form.

Suzanne shared with PHA satellite experience which they will look into and into the interplay between telephone lines and all the wiring. They're recommending to the tenants not to get Fairpoint or Comcast for your telephone.

Suzanne is working with PHA in terms of finalizing the draft of the letter to Comcast, basically a formal complaint, requesting what the contracts are for some of the other Housing Authorities, Dover, Manchester.

Suzanne Woodland presented copies of the letters to Jay Somers and Mr. Castro to the members. The City had in fact received notice of these channel changes, she did not receive copies. Elaine provided a copy of the notice which went to customers. Suzanne's point of view felt it was not a great notice in terms of informing customers what was happening and why, felt it was pretty poor and emphasized that the notice to customers was lacking and followed up with the question in terms of how WGBH is designated as the primary PBS affiliate and has not received a response back from Jay Somers. She feels the notice only went to analog customers, digital customers didn't have a problem with Channel 17.

Tomorrow is the date of the conversion.

The Chair stated the major item of Public Access (PA) is to finalize approval of the trust draft and asked for comments or questions on the draft passed out at the last meeting to either make changes or vote on it today. After discussing changing the document title the Committee decided to leave it as it is.

**MOTION** made by Kathy Pearce to accept the draft of the Charitable Trust document as amended. Seconded by Brian Gregg. Motion passed.

The Chair reported they met with the City Manager and will be on the August 3<sup>rd</sup> Agenda for the Charitable Trust and a request to fund the trust with franchise fees beyond \$360.

Suzanne will have an attorney to meet with us regarding the process of incorporating. Brian Gregg asked if the attorney could give the Committee for review a set of By-laws for other documents forming the corporation.

The Chair suggested rallying of public support at the August meeting with City Council.

Suzanne reported the City Manager suggested at a minimum drafting a memo for the City Manager's comments for the upcoming Agenda which will propose the public trust giving a concise history of what the Cable Commission has done in evaluating PEG, successfully negotiated the Comcast Contract which has the extra money from advertising revenues, ask the Council to move forward on establishment of the Trust and having Comcast write a separate check to the Trust for the overage.

The next meeting is scheduled for July 9, 2009 at 3:30 p.m. unless we hear from Suzanne. The meeting for August 13<sup>th</sup> was changed to August 20, 2009.

**Adjournment - MOTION** made by Brian Gregg to adjourn. Seconded by Kathy Pearce. Motion passed.

Respectfully submitted,  
Elaine E. Boucas