

Meeting Minutes

Telecommunication Commission Minutes

Thursday, January 30, 2003 - 6:00 P.M.

County City Building - Conference Room D Present: Chairman Rackow, Commissioners Colantonio, Curtis, Patton, Pintar, Wyhuske, Alderman/Commissioner Phillips

Excused: Commissioner Lysne, Alderman/Commissioner Walther

Also Present: Mayor Wescott, Clerk Zdroik, Alderperson Sevenich, Telecommunications Coordinator Quirk, Chuck Kell (Whiting), John Klismet (Park Ridge), Hank Becker (Linwood), Tom Hagen (Whiting), Jessie Hlad (Charter), Kate Garsombke (Journal)

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7. Adjournment.

1. Approval of minutes of September 25, 2002.

Commissioner Patton moved, Commissioner Pintar seconded, for approval of the minutes of September 25, 2002.

Ayes, all; nays, none. Motion carried.

2. Report of Charter Communications.

- a. Multichannel News, September 19, 2002.

The breaking news story is that the City of Chicago has filed a state court suit to compel its three cable operators, AT&T Broadband, RCN Corporation, and WideOpenWest LLC, to pay franchise fees on cable-modem revenue. The suit seeks a declaratory ruling enforcing its franchises. Cable operators ceased modem-fee payments after the FCC issued a March declaratory ruling defining high-speed-data service as an interstate information service, not a cable service. The municipal suit demonstrates the frustration of municipal authorities, who believe governments will lose millions of dollars if modem service is permanently eliminated from the franchise fee pool.

- b. Jessie Hlad letter of October 3, 2002, regarding cable service to the airport.

Ms. Hlad's letter is notifying the Telecommunications Commission that Charter Communications has installed cable service at the Stevens Point Municipal Airport, providing service to Sentry Aviation and Pegasus Aviations LLC at that location.

Telecommunications Commission Chairman Rackow thanked Charter for the service.

- c. Jessie Hlad letter of October 8, 2002, regarding the addition of The Charter Channel.

Charter announced that The Charter Channel is making another positive change to the channel line-up. On October 10, 2002, The Charter Channel will preview on channel 61 and will become a permanent addition to the line-up on November 10, 2002.

- d. Excerpts of Charter's Community Connection, 3rd Quarter, 2002.

When Charter came to Wisconsin in 1998, they brought a commitment to bridge the digital divide.

Now, four years later with more than \$500 million invested in technical upgrades across the state, Charter is proud to say 94% of their network across Wisconsin and Minnesota is broadband accessible. It means their broadband infrastructure is designed to deliver future services such as telephone over cable, home-networking and video-on-demand. It means Charter is not only prepared to bring the future to rural Wisconsin, their fiber-optic network can transport the future much faster than conventional phone lines.

- e. Jessie Hlad letter of October 23, 2002, regarding repair procedures.

New repair and original broadcasting procedures have been developed and will take effect on November 1, 2002. The new procedures will allow Charter to track repair issues and broadcasting schedules that require Charter's assistance

- f. Village of Plover letter to Charter, October 29, 2002.

In his letter addressed to James L. Ebenhoe, Charter Communications, Kenneth P. Shibilski, President, Village of Plover, is putting Charter on notice that it intends to implement an Application Fee to recoup the Village of Plover's portion of franchise renewal expenses, pursuant to Section 20.35 (4) of the Cable Communications Regulatory Ordinance between the Village of Plover and Charter Communications. Mr. Shibilski added that the fee amount has not been determined because the franchise renewal expenses have not been finalized and further noted that the Village of Plover has never collected a franchise or an application fee. The Village will not be charging a PEG fee nor a 5% franchise fee on revenues, when the Village's newly negotiated agreement goes into effect; however, the agreement give the Village the right to do so upon notice to Charter.

- g. Cherry picking newspaper article, November 21, 2002.

Cable television customer can subscribe to a movie channel without paying for channels they don't want but cable companies are not advertising the new required service. A clause in the 1992 federal Cable Act could save cable subscribers money by giving them access to premium channels

such as HBO or Cinemax without having to purchase the cable packages.

h. Signing of contract with Charter newspaper article, November 21, 2002.

Charter Communications has signed and returned a five-year contract to the City of Stevens Point. The agreement took nearly five years to negotiate. Because this contract expires in 2007, the City will start negotiations on a renewal agreement in two years.

i. Jessie Hlad letter of November 26, 2002, regarding digital channel launch.

On December 13, 2002, Charter began previewing four new channels on their digital line-up. These four new additions are Nick Toons on channel 107, MTV HITS ON channel 147, VH-1 Soul on channel 156, and VH-1 + on channel 158. These channels became permanent to the digital line-up on December 29, 2002. These channels are being added at no additional cost to the digital customers, who are being notified of these new additions through a message on their digital terminals.

j. Jessie Hlad letter of December 18, 2002, regarding the addition of the Style Network.

Style Network is offered by the creators of E! and is the only 24-hour network devoted to fashion, beauty, home design and unique ideas for entertaining. Style Network previewed on Charter Communications' line-up on December 23, 2002, and became permanent to the Expanded Basic Service on Channel 60 on January 23, 2003.

k. Jessie Hlad letter of December 23, 2002, regarding rates for 2003.

Charter, after careful consideration, is reducing several prices to include Standard Receiver from \$3.96 to \$1.00, a decrease of \$2.96; FCC fee from \$0.05 to \$0.04, a decrease of \$0.01. However, Charter also finds it necessary to increase some prices like Broadcast Basic from \$9.11 to \$10.11, an increase of \$1.00. The Broadcast Basic Rate has changed from the October 1240 Form. Under the FCC guidelines, Charter may change the Operated Selected Rate to an amount less than the MPR without revising the 1240 filing.

l. Cable prices newspaper article, January 14, 2003.

The newspaper article reports that Charter will raise its rates for basic cable TV and high-speed Internet service in the Stevens Point area on February 15. Basic cable TV service will go up by \$1, to \$10.11 per month. Charter's Pipeline high-speed Internet service will increase by \$5 to \$10 per month. A spokesperson for Charter cited the cost of programming and new technology as the main reasons for the rate increase. Charter added that the broadcast basic rate in Stevens Point is one that they have been able to hold below the rate in other communities over the years.

Commissioner Patton moved, Alderman/Commissioner Phillips seconded, to accept Charter's report and place it on file.

Ayes, all; nays, none. Motion carried.

3. Stevens Point/Plover Area Telecommunications Commission.

An organizational meeting is being planned for Thursday, February 6, 2003, at 6:00 P.M. at the Water Department Building, 300 Bliss Avenue. Mayor Wescott has invited area municipal leaders or their designated appointees to discuss the Regional Telecommunications Commission.

4. Report of CA3.

A copy of the CA3 report and a copy of the weekly program schedule were distributed by Telecommunications Coordinator Quirk. Copies are attached hereto.

Commissioner Patton moved, Alderman/Commissioner Phillips seconded, to accept the report and place it on file.

5. Apportionment of Consultant Fees and Associated Costs.

The consultant fees and associated costs through December 31, 2002, was discussed. Ald. Phillips requested that a bill be sent to the member municipalities informing them of their balance due.

6. Date, time, and location of next meeting.

The date and time of the next Telecommunications Commission meeting will depend on the outcome of the Regional Commission meeting on February 6, 2003.

7. Adjournment - 6:45 P.M.

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