

Meeting Minutes

TELECOMMUNICATIONS COMMISSION MEETING

Thursday, November 29, 2001 - 6:00 P.M.

County-City Building - Conference Room D

1516 Church Street Present: Chairman Rackow, Commissioners Curtis, Lysne, Patton, Pintar, Wyhuske; Alderman Phillips

Excused: Commissioner Colantonio

Also Present: Mayor Wescott, Clerk Zdroik, Aldermen Sevenich, Moore; John Klismet (Park Ridge), President Kell (V of Whiting), Tom Hagen (V of Whiting), Jessie Hlad (Charter), Paul Chronis (Journal)

1. Approval of minutes of October 22, 2001.

Commission Patton moved, Commissioner Wyhuske seconded, for approval of the minutes of October 22, 2001.

Ayes, all, nays, none. Motion carried.

2. Stevens Point/Plover Area Telecommunications Commission.

In a memo to the Telecommunications Commission members and members of the Common Council, Chairman Rackow gave an update on cable franchise negotiations. **The Chairman reported that no response has been received to the City's revised Draft Franchise Agreement and Draft Cable Regulatory Ordinance.** These documents were forwarded by Attorney Grogan to Attorney Jane Bremer on October 16, 2001, with a request for an early response.

The latest e-mail received from Attorney Grogan's office dated November 28, 2001, advised that Charter is diligently working on the Stevens Point franchise documents with a hope to have a response received within the next week or two.

Resolutions from the City of Stevens Point, Village of Plover, Village of Whiting, Town of Hull and Town of Plover, extending the franchise agreements from January 1, 2002, to March 31, 2002, should be adopted by these municipalities this month.

Also distributed at the meeting was Attorney Grogan's Communications Law Update dated November 16, 2001, where the FCC issued an order a proceeding involving the City of Pasadena, California, and other jurisdictions which has the effect of raising subscriber's cable rates through increased franchise fees.

3. Report of Charter Communications.

In a letter received from Jim Ebenhoe, Charter Communications Director of Government Relations, dated October 19, 2001, he reported that the International Channel will not be offered on November 1, 2001, but will be considered at a later time.

Charter announced the addition of five premium services to the channel line-up effective December 31, 2001. These five additional channels will become part of our existing Starz! Super Pak. Once these five channels are added, the new and improved Starz! Super Pak will include ten channels.

Ms. Hlad informed the Commission that Charter hired Steve Randell as the new Director of Operations and Wayne Dahlke as the new Business Manager.

4. Charter's annual rate justification filing for 2002.

A letter dated November 1, 2001, was received from Denise M. Jones, Charter Communications Director of Regulatory Compliance and Planning, **notifying the City of Charter's updated maximum permitted rate effective February 2002. The letter explained that the rate increase is necessary to cover certain external costs and increased costs associated with delivering cable service. All customers will be notified of any rate changes in accordance with FCC rules.**

There was a lot of discussion on Charter Communications' annual rate justification filing for 2002, particularly on the mistake on Form 1240, in broadcast basic rate and the channel line-up.

Mayor Wescott noted the current basic rate before the increase is \$8.42. The new Form 1240 Filing shows \$8.84 as the current basic rate and the new basic rate taking effect February 1, 2002, is \$9.11. The Mayor then questioned where \$8.84 came from.

Jessie Hlad said she does not have the answer at this time but she will go over these rates with Ms. Jones and report back to the Commission.

Mayor Wescott told the Commission that Charter must clarify this error by noon tomorrow (November 30, 2001) to meet FCC deadlines.

5. Charter's service rates effective March 1, 2001.

Chairman Rackow voiced his concern on the timing for implementing rate increases. In 2001 the rate increase was moved from June to March and for 2002 the rate increase will take effect February. The Chairman said although the practice is legal, Charter is raising its rates earlier and earlier each year thereby gaining a month or two of extra revenue each year.

Commissioner Wyhuske asked about the number of complaints received at the City Clerk's office at this time.

Clerk Zdroik said there have not been as many complaints received by the office at this time but she suspects the number will increase when the rate increase goes into effect. She added that her office also gets complaints during inclement weather when the cable reception is not at its best.

6. Visit to Charter's Master Headend Cable Facility - 530 Nedrest Drive, Stevens Point.

Chairman Rackow, Commissioner Colantonio, Telecommunications Coordinator Quirk, and Production Specialist Hayes visited Charter's Master Headend Cable Facility on Friday, October 26, 2001.

Attached is Chairman Rackow's memo highlighting the things they learned from the visit.

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

The next Telecommunications Commission meeting is scheduled for Thursday, January 3, 2002, at 6:00 P.M. in Conference Room D, County-City Building, 1516 Church Street.

8. Adjourn into closed session pursuant to Wisconsin Statutes 19.85(1)(e) to discuss franchise negotiations.

Alderman/Commissioner Phillips moved, Commissioner Patton seconded, to adjourn into closed session.

Roll Call: Ayes: Chairman Rackow, Commissioners Curtis, Lysne, Patton, Pintar, Wyhuske;
Alderman Phillips.

Nays: None. Motion carried.

9. Adjournment - 7:15 P.M.

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