

Meeting Minutes

TELECOMMUNICATIONS COMMISSION MEETING

Monday, January 25, 1999 - 6:00 P.M.

City Water Department - 300 Bliss Street

Present: Chairman Rackow, Alderman Phillips, Walther, Commissioners Bartosz, Colantonio, Patton, Wyhuske

Excused: Commissioner Pintar

Also

Present: Mayor Wescott, Clerk Zdroik, Telecommunications Coordinator Quirk, John Klismet (Park Ridge), Tom Hagen (Whiting), Meg Erler (V of Plover), Jim Ebenhoe (Marcus), Tim Vowell (Marcus), Susan Kampmeier (Journal)

Announcements from the Chair.

Chairman Rackow reported that Commissioner Doxtator has resigned for reasons of health and the Mayor is searching for a replacement in the field of education. Mayor Wescott emphasized that the appointee has to be involved in education.

The letter sent to Senator Herbert Kohl dated January 6, 1999, signed by Mayor Wescott and Chairman Rackow regarding cable rate regulation sunset was also sent to Congressman Obey, Senator Feingold and Assemblyperson Julie Lassa.

Copies of franchise agreements were distributed to the representatives of the municipalities that were at the meeting and the rest will get theirs in the mail.

1. Approval of minutes of January 4, 1999.

Alderman Patton moved, Commissioner Wyhuske seconded, for approval of the minutes of January 4, 1999.

Ayes, all, nays, none; motion carried.

2. Report of STV.

There was no representative from STV at the meeting.

3. Report of Channel 99.

Todd Vanderloop said things are going well for Channel 99. They are doing live broadcasts of boys and girls basketball, hockey, and wrestling. The school district has been very supportive and they are discussing the possibility of taping the School Board meetings and playing them back on Channel 99 instead of on Channel 3. Mr. Vanderloop said Channel 99 has a need for another modulator to send signals. They have been borrowing Channel 3's modulator. It is inconvenient but it is working.

Telecommunications Coordinator Quirk suggested that Mr. Vanderloop coordinate this with the Superintendent of Public Schools. Chairman Rackow suggested notifying the public in advance of any changes.

Mr. Vanderloop said he has one of the 30-day free converter boxes at his residence and since he got the box the signal is humming in the background. Mr. Ebenhoe advised that he call the customer care service.

Mayor Wescott noted he likes the idea of taping the school board meetings on Channel 99 and advised Mr. Vanderloop and Coordinator Quirk to continue to coordinate on the project.

4. Report of Telecommunications Coordinator.

A copy of the report is attached.

5. Report of Marcus Cable.

Chairman Rackow apprised the Commission of what's going on in regard to the Home Terminal. He referred to a letter from Marcus Cable to "valued customers" dated January 14, 1999, a letter written by Mayor Wescott and Chairman Rackow to Mr. Ebenhoe stating their concerns about the letter and Marcus Cable's reply to the letter. Copies of these letters are attached.

Chairman Rackow asked Mr. Ebenhoe if the customer does not get the home terminal and is therefor not getting the premium channels, will they be assessed a disconnection fee? Mr. Ebenhoe said the customers will not be charged a disconnection fee. The chairman noted that channels 15, 21 and 33 which were previously premium channels will now have new assignments. He asked that Marcus Cable let the Commission know their plans in advance.

Mayor Wescott thanked Mr. Ebenhoe for his prompt response to his and Chairman Rackow's letter of January 19, 1999. The Mayor said he is not comfortable with the response and is not comfortable with the level of communications for the people that live in the City. It is poor customer service and the Mayor asked that this be conveyed to the higher management people of Marcus Cable. The Mayor is concerned about the nondisclosure of the products that the cable company are introducing to the residents of the the City and the costs of these products in any communications received from Marcus Cable. As a professional courtesy, the cable company should have made contact with the Telecommunications Commission or the City administration prior to the introduction of the new home terminals.

The Mayor asked Mr. Ebenhoe to communicate with the City Clerk as to the cost of the converters issued about 10 or 12 years ago to subscribers who did not have a cable ready TV.

If the subscribers cannot produce the converter and they are being charged \$1.43 every month how could they resolve this matter with the cable company?

Written complaints from two unsatisfied cable customers were reviewed by Chairman Rackow. Mayor Wescott asked who the responsible person from the cable company is that should be taking care of responding to these complaints? Mr. Ebenhoe said responses to such letters is being handled by Larry Kraklau's assistant, Angie Drew.

Alderson Phillips asked if the converter box violation falls into the category of the ordinance violation on fines? Chairman Rackow said if the law comes on our side, the answer is yes.

Mr. Ebenhoe announced the resignation of Larry Kraklau effective January 29, 1999.

Mayor Wescott asked for Marcus Cable's chain of command and Mr. Ebenhoe had the following information:

Jim Ebenhoe Manager/Franchise Government Relations out of the Wausau and Eau Claire district. He reports to Tim Vowell.
Tim Vowell Director of Government Relations and Franchise, Madison office. He reports to Chris Fenger.
Chris Fenger Senior Vice President of Operations, Madison office. He reports to Dave Barford.
Dave Barford Corporate Senior Vice President, St. Louis office. He reports to Jerry Kent.
Jerry Kent President & Chief Executive Officer, St. Louis office.

Mr. Vowell advised that the transfer of Marcus Cable to Charter Communications will take effect sometime the end of the first quarter or the start of the second quarter this year.

President Erler was also critical of the cable company's lack of communications. The village's upgrade was scheduled for 1999 and her December cable bill showed an increase in it. The president is also concerned whether the subscribers are paying more than their fair share of the cost of the upgrade. She wants to make sure that they are just paying for the cable service.

Mr. Vowell said the cable company provides the capital upfront and recovers the investment. He advised that the cable company may or may not get into other lines of services. Right now they are just providing cable service which may include I-Net service. He informed the Commission that the customers could see smaller increases in cable TV charges if the cable company gets into other lines of service.

Mr. Vowell said that 13% to 15% of the 411 communities Marcus serves in Wisconsin were certified to regulate rates. The low percentage is due to the administrative burden on the community. Marcus Cable serves 411 communities in Wisconsin and 750 nationwide.

Mayor Wescott asked what percent of the homes in the Stevens Point/Plover area have cable service? Mr. Vowell said about 68% have some form of cable service. The Mayor asked how many homes have one premium channel? The response was that 30% of the 6600 customers in the City have one premium channel, 30% in Plover and about 30% in the Town of Hull.

Mr. Ebenhoe gave the Commission a map showing where Marcus has already installed fiber optic cable.

The rebuild will be completed and the transfer to new ownership has resulted in upgrading faster. The transfer of ownership will not affect the upgrade of the system. The upgrade is being done for business reasons and to meet the competition. The transfer is nothing but transferring the existing franchise from one owner to another. All the benefits that are in the agreement will be transferred. Marcus now makes upgrades that are not a condition of the renewal of franchises.

6. Subcommittee reports.

a. Needs Assessment.

We are still waiting for input from the business community and the university.

b. Ordinance Revision.

The consultant is reconciling our changes with his draft.

c. Regional Commission.

No report.

d. Drafting Franchise Agreement.

No report.

e. Strategy.

The subcommittee is scheduled to meet at 2:00 P.M. February 1, 1999.

7. Date, time and location of next meetings.

The next Telecommunications Commission meetings are scheduled for Thursday, February 4, 1999, and Monday, February 22, 1999, at the Portage County Courthouse Annex, Conference Room 5 (Third Floor).

Adjournment - 8:15 P.M.

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