



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale & Wood Village*

## MEETING NOTIFICATION

**June 17, 2024**

**6:30 p.m.**

**In-Person: Open Signal, 2766 NE Martin Luther King Jr. Blvd, Portland**

**- Or -**

**Virtually: Join Zoom Meeting**

Join Zoom Meeting

<https://us02web.zoom.us/j/84816573895?pwd=R1BkdGlwTURqWUhGN044dFJxWUpGQT09>

Meeting ID: 848 1657 3895

Passcode: 954237

One tap mobile

+14086380968,,84816573895# US (San Jose)

+16694449171,,84816573895# US

- Roll Call
  - Service Recognition: Commissioners Studenmund and Roche
- Agenda Review
- Disclosures
- Public Comment (non-agenda items)
- Community Media Center Updates
  - MetroEast
  - OpenSignal
- Franchisee Activity Report
  - Ziplly
  - Comcast

### **\*CONSENT AGENDA – NO DISCUSSION**

All items listed below may be enacted by one motion and approved as consent agenda items. Any item may be removed from the consent agenda and considered separately if a member of the Commission so requests.

C1. May 20, 2024 Meeting Minutes





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## REGULAR AGENDA

\*R1. Contingency Request: Community Technology Grants 15 min

\*R2. Community Technology Grant Agreements: 2024 Cycle 15 min

1. Black Men in Training (B.M.I.T)	\$49,011
2. NAAME (Keys, Beats, Bars)	\$121,812
3. Trash for Peace (Ground Score Association)	\$20,250
4. Indigenous Media Guild	\$157,279
5. Imagine Black Futures	\$250,000
6. Extending Grace (Loco Por La Aventura)	\$131,755

\*R3. Election of MHCRC Chair and Vice Chair 15 min

- Staff Updates
  - MHCRC FY2023-24 Budget Approval
  - Strategic Planning Update
  - Legislative Advocacy Report
  - Franchise Renewal
  - Franchise Compliance Program Update
- New Business; Commissioner Open Comment
- Upcoming Jurisdiction Budget Presentation Schedule:
  - Gresham: Tuesday, June 18, 6 pm Wagner (on consent)
  - Wood Village: Tuesday, June 25, 6 pm Harden
  - Troutdale: Tuesday, June 25, 7 pm Dennerline on behalf of Thomas
  - Multnomah County: Thursday, June 27, 9:30 am DeGraw on behalf of Studenmund
- Meeting Schedule:
  - July/August: Recess
  - September 16, 2024
  - October 21, 2024
  - November: Recess
  - December 16, 2024
- Committee Reports
  - Finance Committee





## Mt. Hood Cable Regulatory Commission

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- Equity Committee
  - Policy Committee
  - Open Signal Board Appointee
  - MetroEast Board Appointee
- 
- Public Comment
- 
- Adjourn

\*Denotes possible action item

*Please notify the MHCRC no less than five (5) business days prior to our event for ADA accommodations at 503-823-5385, by the City of Portland's TTY at 503-823-6868, or by the Oregon Relay Service at 1-800-735-2900.*

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## **CONSENT AGENDA – NO DISCUSSION**

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## MT. HOOD CABLE REGULATORY COMMISSION

Hybrid – Zoom and MetroEast, Gresham, Oregon

May 20, 2024 Meeting Minutes -- **DRAFT**

### SUMMARY MINUTES

#### Call to Order 6:30 PM

#### Roll Call:

*Present:* Chair DeGraw, Vice Chair Harden; Commissioner Dennerline; Commissioner Goodlow, Commissioner Thomas, Commissioner Wagner

*Absent:* Commissioner Studenmund (excused), Commissioner Roche (excused)

*Staff:* Eric Engstrom, BPS Deputy Director; Rebecca Gibbons, MHCRC Staff/Operations Director; Andrew Speer, Utility Manager; Douglas Imaralu, MHCRC Financial Analyst; Kevin Block, Policy Analyst; Kathleen Lefebvre, Administrative Specialist

- Agenda Review: Chair DeGraw will abstain from voting on Agenda Item R3. Off-Cycle Grant Request for The Media Project due to her service on their Board, combining that with Commissioner Goodlow leaving the meeting at 7:30 pm that, we are moving R3 Agenda Item up to the first item on the Regular Agenda to maintain quorum.
- Disclosures: none.
- Public Comment (non-agenda items): none.
- Community Media Center Updates
  - John Lugton, MetroEast's Director of Production Services, shared updates which included a recently completed cohort called Producers Corner, a video podcast with interviews of local filmmakers, producers, and creators. Lugton describes more successful engagements, including with student age community members from De La Salle and Job Corps, training on the technology and serving the underserved while producing sixteen 15–30 minute episodes, all while engaging with legacy producers. Especially helpful during this process was the feedback loop at the end of the engagement, calling out the positives of the project and areas for improvement. Lugton notes upcoming robust Summer Youth Media programming which includes engagements with Reynolds Learning Academy and University of Oregon students. Other collaborative MetroEast summer programming will take place with Free Arts Northwest, Par Girls and Friends of Noise. Lugton shares that it is currently budget season and noted that MetroEast has engaged in 23 work sessions of 3 public hearing with Multnomah County, this process will continue through June. Lugton shares the production efforts on the May Primary Election, with 32 candidate interviews, 6 candidate forums and one ballot measure forum for upwards of 85 hours of airtime.





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MetroEast is working with League of Women Voters to create an educational and instructional video on RCV or Rank Choice Voting. Lugton was excited to announce the Alliance for Community Media acknowledged the Community Technology Grants Video in the category of Instruction, this is a national recognition. Another recognized video was in the Live Sports category for E-Gaming at the Community College.

- Daniela Serna, Open Signal Director of Communications and Distribution, shared a PowerPoint which included Open Signal’s updated mission statement: “Our mission is to nurture the change-making power of community media in service of a just and equitable world”. Serna notes that Board Committee members and Open Signal leadership are working together on the following items: Organizational Development which includes focused internal process work of Conflict Resolution Training, Group Agreements with guidance from the local firm Accord, auditing organizational practices, completing expectations of internal communication, and a March retreat on the Shared Leadership Model with a second and final retreat scheduled in July. Open Signal’s Racial Harm Policy is currently being developed through work sessions, and Leadership will bring a draft Policy to staff before finalizing the policy and sharing out to the community. KatMeow Garcia, Director of Community Media, gives an update on programs, events, partnership, and collaborations which included [this video](#). Upcoming events included robust programming, a few events that were highlighted are: May 27<sup>th</sup> Youth Listening Session, Panasonic Class on June 5<sup>th</sup>, and June 27<sup>th</sup> Lights, Camera, Connection: non-fiction Media Makers Mixer. Garcia notes a few of the many collaborations with local organizations, including Indigenous Media Guild, Wisdom of the Elders, The Maria Kona Guild. Jim Bruce, Director of Information System shares staff updates including hiring Director of Partnered Media RaShauna Brooks and an internal promotion of Chris Polanco to Production Services Manager. Christine Jervis, Director of Administration introduces herself and notes she will oversee the Finance, Administration and Human Resource functions at Open Signal. Commissioners and MHCRC Staff acknowledge Jamie Plankos’ stellar work at Open Signal as she departs the organization at the end of the month and wish Jamie the very best on their next pursuits.
- Franchisee Activity Report
  - Zply – not present
  - Comcast – Tim Goodman updates the Commission on Mr. Wood, the member of the public who attended and gave testimony at the March Commission meeting. Goodman noted all customers who have customer service complaints have the option to go through mediation over billing issues, which is currently in-process with Mr. Wood and Comcast. There is a hearing next week and the timeline is usually 30 days from the hearing date for an opinion to be submitted. Goodman then proceeded to give the Commission other updates including Community Spring Clean Up, United Way Hands on Portland Project and other community projects.

## **\*CONSENT AGENDA – NO DISCUSSION**

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- C1. March 18, 2024 Meeting Minutes





# Mt. Hood Cable Regulatory Commission

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- C2. April 23, 2024 Mini Retreat Minutes
- C3. FY 24-25 MHCRC Goals and Objectives

**MOTION:** Commissioner Wagner moved to approve the Consent Agenda. Commissioner Harden seconded.

**VOTE: 6-0 passed**

## REGULAR AGENDA

### \*R3. Off Cycle grant request

Rana DeBey gave an overview of The Media Project and the work they are doing with the requested negotiated grant amount of \$25,392 for the titled project "Chasing Chimeras". In accordance with our off-cycle grant process, The Media Project submitted a Letter of Interest to MHCRC in late March and staff deemed the request met the eligibility requirements. The request was vetted by the MHCRC Equity Committee, and the Committee agreed the application should move forward to the full Commission for funding.

**MOTION:** Commissioner Harden moved to approve the Off-Cycle Grant Request for The Media Project for the total amount of \$25,392; Commissioner Dennerline seconded.

**VOTE: 5-0 passed, Chair DeGraw Abstained**

Commissioner Goodlow left the meeting.

### \*R1. FY 2024-25 MHCRC Fund Budget Proposal

Commissioner Thomas expresses appreciation and acknowledges the work of the MHCRC Finance Committee and Staff on the FY25 MHCRC Fund Budget Proposal and introduces Douglas Imaralu, MHCRC Financial Analyst to give an overview of the proposed FY25 budget. Douglas notes the Finance Committee approved the proposed budget on May 7th to bring to the full Commission for approval and to recommend to the jurisdictions for their approval and shared an overview of the proposal. Among many highlights, Imaralu notes that MHCRC will lose revenue at the end of the calendar year when Zply exits the market. Also highlighted were the planned expenses including strategic planning services, MetroEast roofing upgrades, BPS internal services for MHCRC support and other noted expenses

Commissioner Harden inquires about the expense under Materials and Services and Imaralu clarifies the Operating Expenses of internal personnel services is for BPS Internal Services

Open Signal and MetroEast present their respective budgets. John Lugton from MetroEast expresses appreciation for continued MHCRC support and presents an overview of their budget projections. Commissioner Thomas appreciates the well-done proposal by MetroEast. Jamie Plankos shares a broad overview of the Open Signal FY25 operational budget projections and emphasized the budget presented was a balanced budget. Commissioners expressed appreciation for the presentation.

**MOTION:** Commissioner Thomas moved to approve the FY 2024-25 MHCRC Fund Budget Proposal and recommend the budget to the jurisdictions. Vice Chair Harden seconded.

**VOTE: 5-0 passed**





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## \*R2. Community Technology Grant Agreements: 2024 Cycle

Rana DeBey gave an overview of the 11 grants up for approval for a total of \$609,510. DeBey gave an overview and shared background of the eleven full grant applications up for approval.

A.	Southwest Somali Community	\$61,839.00
B.	1 World Chorus	\$70,531.00
C.	Alberta House	\$38,476.00
D.	Caldera	\$41,708.00
E.	Hand2Mouth Theater	\$57,900.00
F.	Other 98% Lab (Mosquito Fleet PDX)	\$40,948.00
G.	Portland Community College	\$81,227.00
H.	Swingin' Sounds	\$16,345.00
I.	The Arc Portland Metro	\$12,364.00
J.	The North Northeast Business Association DBA Soul District Business Association	\$104,177.00
K.	Underscore	\$83,995.00

Commissioner Dennerline requests for DeBey to elaborate on Mosquito Fleet and their distribution plan. Their pre-application didn't have a local media content sharing plan, resulting in DeBey working closely with Other 98% Lab (Mosquito Fleet) to enhance this portion of their proposal and today all components of the application meet MHCRC criteria. Commissioners support this proposal given the current information.

**MOTION:** Commissioner Thomas moved to approve the following 2024 Community Technology Grant Cycle agreements: Southwest Somali Community for the total amount of \$61,839; 1 World Chorus for the total amount of \$70,531; Alberta House for the total amount of \$38,476; Caldera for the total amount of \$41,708; Hand2Mouth Theatre for the total amount of \$57,900; Other 98% Lab (Mosquito Fleet PDX) for the total amount of \$40,948; Portland Community College for the total amount of \$81,227; Swingin' Sounds for the total amount of \$16,345; The Arc Portland Metro for the total amount of \$12,364; The North Northeast Business Association DBA Soul District Business Association for the total amount of \$104,177; Underscore for the total amount of \$83,995. Commissioner Dennerline seconded.

**VOTE: 5-0 passed**

## \*R4. I-Net End Fund Agreement Proposal

Rebecca Gibbons gives a historical overview of the I-Net End Fund, noting that MHCRC and Comcast entered into an I-Net End Funded Agreement in August 2023 that outlined the expenditure of the fund for digital equity related purposes. The agreement awarded almost \$2 million to Free Geek to deliver digital equity throughout the county with an emphasis on programming in East County. \$100,000 of the Fund was allotted to Affordable Connectivity program adoption support. In addition, Comcast has agreed to set aside \$87,000 of the Fund to hire Pacific Research and Evaluation (PRE), the same organization who did the Tech Smart Initiative, to assist in reporting on the impact of this joint venture. Gibbons introduces Marion Hayes and Rebecca Brown from Comcast to present a proposed spending







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plan for the remainder of the funds. Gibbons emphasizes that Commissioner input is welcomed around this proposal and if there is support it is requested that a motion be made to direct staff to move forward to enter into agreements with Comcast to spend the remaining I-Net End Fund in a manner that is substantially similar to the spending proposal presented tonight.

Marion Hayes, Vice President for External Affairs for Northwest Region at Comcast, shares PowerPoint and expresses appreciation to MHCRC for the partnership to spend these remaining funds. The presentation outlines an approach for spending the remaining \$2 million in funds.

Rebecca Brown from Comcast highlights that the collaborating partners are well-established and have the infrastructure to support the intended programming and come with proven track records to impact the communities they serve. Brown gives estimated costs based on initial conversations and shares a map highlighting where the proposed digital hubs in Multnomah County will be.

### Discussion

Chair DeGraw expresses excitement on the upcoming opportunities this agreement will bring. Vice Chair Harden inquires on the range of a Lift Zone as the far eastern part of the County as the equipment distribution needs to accompany connectivity. Brown notes that three organizations, Boys and Girls Club, Free Geek and Latina Network, are both Gresham area Lift Zones. Hayes emphasized that the agreement is adjustable as it is being developed if changing needs, the budget has \$300,000 that is currently undesignated. Commissioner Thomas requests this agreement consider Troutdale, and Hayes and Brown are open to that, so that is noted. Commissioner Wagner noted that we may be missing families who do not identify with the organizations mentioned, so touching a general community center will be crucial.

**MOTION:** Vice Chair Harden moved to approve to direct staff to move forward to enter into agreements with Comcast to spend the remaining I-Net End Fund in a manner that is substantially similar to the spending proposal presented tonight. Commissioner Thomas seconded.

**VOTE: 5-0 passed**

### **Staff Activity**

- Annual Report – Gibbons gave an overview of the completed MHCRC Annual Report which is available on the MHCRC website. Commissioner Wagner shared her enthusiasm for the report, noting the professional quality and engaging content was well-done. Commissioner Wagner and Commissioners all share enthusiasm for the Report and noted it was clear, concise and commend the authors.
- Commissioner Appointments – Rebecca Gibbons shares that recruitment is underway for the Portland and Multnomah County MHCRC Commissioner Appointees.
- Officer Elections – Officer Elections planned at the June Meeting, Vice Chair Harden and Chair DeGraw are eligible to continue in their roles according to the IGA and have expressed agreement to continuing in those roles.





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- Jurisdiction budget schedule – Kathleen Lefebvre noted the Jurisdiction Budget Schedule. Commissioner Thomas requests a designee or Consent Agenda for the June 25<sup>th</sup> City of Troutdale FY 25 MHCRC Fund Budget presentation as he is unavailable on 6/25/24.
- Legislative Advocacy Report – Kevin Block gave a report to the Committee, also noted in the Info Only Packet Materials.
- Franchise Compliance Program Update – No Update
- Consumer Protection Report – Andrew Speer reported for Laura Dyer, and shared documentation that was included in the Info Only Packet Materials.

## **Committee Reports**

- Finance Committee – none.
- Equity Committee – none.
- Policy Committee – none.
- City of Portland Charter Reform Liaison – none.
- Open Signal Board Appointee – none.
- MetroEast Board Appointee – none.

## **New Business; Commissioner Open Comment –**

### Next MHCRC Meetings:

- June 17, 2024, Regular Meeting – Hybrid In-Person hosted by Open Signal
- July/August – Recess
- September 16
- October 21
- November: Recess
- December 16

## **Adjourned: 8:40 PM**

Respectfully submitted,  
Kathleen Lefebvre



## **REGULAR AGENDA**



# Mt. Hood Cable Regulatory Commission

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Troutdale & Wood Village*

## **COVER SHEET – AGENDA ITEMS #R1**

For Commission Meeting: June 17, 2024

“Contingency Request: Community Technology Grants”

### **Recommendations:**

Staff recommends that the Commission approve a one-time budgetary allocation from the Community Grants Contingency of \$166,172.

### **Background:**

The Commission allocated \$2,000,000 for the Community Grants FY23-24 Cycle and received an unprecedented number of pre-applications for the funding opportunity. In addition, the grant request from the City of Portland, originally received in December 2022, was not awarded until December 2023 due to delays with City timelines. While initially approved as a pre-application in the FY22-23 funding cycle, the grant was officially awarded well after the close of the FY22-23 budget, which required the grant to book against FY23-24 resources. Without a contingency transfer, the Commission would not have enough resources in the FY23-24 to complete the awards for the FY23-24 competitive cycle.

The MHCRC annually budgets \$800,000 in Community Grants Contingency in anticipation of this type of scenario that crosses fiscal years.

**Staff is recommending that the Commission allocate \$166,172 from the FY23-24 budgeted community grants contingency line item (\$800,000) so that the Commission can award grants to the remaining six applicants who were invited to move forward this cycle.**

Prepared by: Rana DeBey  
June 7, 2024





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## **COVER SHEET – AGENDA ITEMS #R2**

For Commission Meeting: June 17, 2024

“Community Technology Grant Agreements: 2024 Cycle”

### **Recommendations:**

Staff recommends that the Commission approve the following six Community Technology grant agreements:

A. Black Men in Training (B.M.I.T)	\$49,011
B. NAAME (Keys, Beats, Bars)	\$121,812
C. Trash for Peace (Ground Score Association)	\$20,250
D. Indigenous Media Guild	\$157,279
E. Imagine Black Futures	\$250,000
F. Extending Grace (Loco Por La Aventura)	\$131,755

### **Background:**

At its January meeting, the Commission selected 30 Pre-Applications to invite to apply for funding. Following the Commission’s decision, MHCRC staff began to engage all 30 applicants in a process to complete full grant applications and contracts. In follow-up to specific Commissioner comments at the January meeting, staff has collaborated with applicants to make suggested revisions to the pre-applications including clearly defining measurable outcomes and evaluation measures, expanding on programmatic details surrounding beneficiaries, and the development of a detailed project budget that would more clearly identify the matching resources necessary to successfully implement the project.

Four organizations (Torus, Portland Public Schools, Mater Dei Radio, The Blosser Center for Excellence in Dyslexia Education) have since withdrawn their applications from consideration in the 2024 Community Technology Grants Cycle. Applicant Mary Kiona Foundation combined their grant request with the Indigenous Media Guild due to lack of ability to produce the videos themselves.

**MHCRC staff has reached agreement with six applicants on final grant agreements recommended for approval for a total amount of \$730,107 in grant funds.**

With these six remaining grant applicants, the Commission will have invested \$2,166,172 into Multnomah County communities in FY 23-24. See table below for the complete list.



<b>Applicant Name</b>	<b>Final Grant Award</b>
City of Portland	\$160,267.23
Wild Diversity	\$42,935.00
NAAME (Voices of Wisdom)	\$81,100.00
NW Documentary	\$47,968.00
Outside the Frame	\$83,814.00
Roots & Beats Project (Immutable Studios)	\$68,944.00
Southwest Somali Community	\$61,839.00
1 World Chorus	\$70,531.00
Alberta House	\$38,476.00
Caldera	\$41,708.00
Hand2Mouth Theater	\$57,900.00
Other 98% Lab/Mosquito Fleet PDX	\$40,948.00
Portland Community College	\$81,227.00
Swingin' Sounds	\$16,345.00
The Arc Portland Metro	\$12,364.00
The North Northeast Business Association DBA Soul District Business Association	\$104,177.00
Underscore	\$83,995.00
Black Men in Training (B.M.I.T.)*	\$49,011.00
NAAME (Keys, Beats, Bars)*	\$121,812.00
Trash for Peace (Ground Score Association)*	\$20,250.00
Indigenous Media Guild*	\$157,279.00
Imagine Black Futures*	\$250,000.00
Extending Grace/Loco por la Aventura*	\$131,755.00
Lewis & Clark College	\$35,849.00
PHAME	\$205,286
CETI Amendment	\$75,000
The Media Project	\$25,392
<b>total</b>	<b>\$2,166,171.82</b>

\*Pending Approval

*As part of the normal grantmaking process, Comcast is given the opportunity to review all final grant applications and contracts prior to staff moving the contracts forward for Commission consideration.*

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**Grant Agreements for Approval - Summaries:**

**A. Black Men In Training (B.M.I.T.)**

**Recommendation:**

“Approve the Community Technology Grant Agreement with Black Men In Training for a total of \$49,011.”

Background:

**Final Grant Request: \$49,011** (Pre-Application Grant Request: \$41,000)

**Final Total Project Budget: \$119,691** (Pre-Application Total Project Budget: \$82,000)

Public Benefit Area: Improving Community Involvement

The “B.M.I.T. Voices – Empowering Black Youth Through Storytelling” project aims to serve a cohort of 20 to 30 Black youth, aged 10-24, residing in Portland and Gresham through afterschool and weekend workshops centered around video production. Utilizing newly purchased video and audio equipment, youth will work with trained staff and volunteers to gain technical skills in video content creation, video podcasts and music to be featured in produced videos. A new studio space will be created that features sound dampening panels and other acoustic modifications to support the youth’s endeavors. Working collaboratively, youth will produce a series of videos intended to showcase their diverse experiences and narratives. B.M.I.T. will produce a minimum of 15 videos throughout the project period which will be shared with MetroEast Community Media for cable distribution. Ultimately, B.M.I.T. hopes to offer a space for sharing both the challenging and celebratory aspects of Black youth life.

This grant request was increased by \$8,011 after consultation with staff at MetroEast when it was determined that additional and alternative equipment (including additional iPads and DSLR cameras) was needed to successfully complete the project.

Attachment: Draft Community Technology Grant Agreement with Black Men In Training.

**B. NW Alliance for Alternative Media and Education (NAAME)**

Recommendation:

“Approve the Community Technology Grant Agreement with NAAME for a total of \$121,812.”

Background:

**Final Grant Request: \$121,821** (Pre-Application Grant Request: \$121,811.95)

**Total Project Budget: \$413,812** (Pre-Application Total Project Budget: \$449,812)

Public Benefit Area: Reducing Costs of a Service or Function

The “Keys, Beats, Bars” project seeks to serve upwards of 50 participants, from ages 18 to 50, from underrepresented communities, who have never had the opportunity to learn how to make video content. Keys, Beats, Bars will engage with several community partners (Propulsion Network and Galaxy Sailor Productions) to provide free filmmaking multi-session workshops covering all aspects of the film industry from basic technical skills to special effects to filming live subjects. Workshop participants will work together to produce short films and music videos

demonstrating their newly acquired skills and utilizing the newly-purchased industry-standard film equipment; upwards of 30 short films will be produced and shared out with the community media centers for cable distribution, as well as shared out through the Keys, Beats, Bars Youtube channel. In addition, one short-form documentary will be produced highlighting the two-year program and featuring testimonials from participants. Ultimately, the project skills to increase the professional skills of community members working in the local filmmaking industry in order to improve the quality of the sector overall.

NAAME is an established community partner of the MHCRC. Previous grants were awarded to the organization in 2019, 2021, 2022 and 2024. All grant outcomes were met satisfactorily.

Attachment: Draft Community Technology Grant Agreement with NAAME.

### **C. Trash for Peace\***

*\*Trash for Peace is the fiscal sponsor for Ground Score Association*

#### Recommendation:

“Approve the Community Technology Grant Agreement with Trash for Peace for a total of \$20,250.”

#### Background:

**Final Grant Request: \$20,250** (Pre-Application Grant Request: \$33,122)

**Final Total Project Budget: \$73,763** (Pre-Application Total Project Budget: \$76,751)

Public Benefit Area: Reducing Disparities

The “Ground Score Association’s American Waste Pickers” project aims to benefit a community of 400+ individual waste pickers, a group of low wage workers who collect reusable or recyclable items discarded by others either to sell or for their own use. Newly purchased equipment will be utilized, along with a newly built community video lab/editing station, by Ground Score Association staff to produce a minimum of ten episodes of documentary-form videos highlighting the stories of a diverse set of community members who currently engage in the organization’s programming. These personal narratives will give a platform to these highly marginalized voices, empowering those overlooked or stigmatized by media for the benefit of the entire population. An advisory council of waste-pickers will work with staff to ensure the storytelling is accurate and intentional. All produced video content will be shared out via Open Signal for cable distribution.

The MHCRC has a current grant with Trash for Peace (2023); however in this case, Trash for Peace is only acting as the fiscal sponsor for Ground Score Association, a mission-aligned grassroots organization.



Attachment: Draft Community Technology Grant Agreement with Trash for Peace.

#### **D. Indigenous Media Guild**

Recommendation:

“Approve the Community Technology Grant Agreement with Indigenous Media Guild for a total of \$157,279.”

Background:

**Final Grant Request: \$157,279** (Pre-Application Grant Request: \$75,450)

**Final Total Project Budget: \$380,029** (Pre-Application Total Project Budget: \$290,383)

Public Benefit Area: Reducing Disparities

The “Native Workforce Development & Content Creation” project aims to expand the number of trained Native professionals in the filmmaking sector in Multnomah County. Indigenous Media Guild will recruit and train three Native-identifying adults who wish to deepen their technical skills in audio and video production. These three professionals will then lead skills building workshops for additional community members (called “associates”), ages 18 and up, who wish to begin a new career in film production. Utilizing a newly purchased and highly professional gear library, the IMG associates will work with the trainers to produce a minimum of three community film projects which feature Indigenous community members and stories. Three projects have been identified this far including a documentary following the resurgence of the Miss Indian Northwest Pageant, a documentary highlighting the life of Mary Kiona, and a documentary focused on Native community leaders as they work to protect and pass on cultural knowledge. In addition, IMG aims to create narrative style shorts featuring the stories of Native youth and young adults from the 2spirit community. All video content will be shared out via Open Signal for cable distribution.

*In consultation with staff, this request significantly increased from pre-application to final application phase. IMG absorbed the project originally submitted by the Mary Kiona Foundation which includes a documentary about the life of Mary Kiona and a series of youth narrative shorts. These additional filmmaking projects increased their equipment needs. In addition, IMG added in some additional technical training necessary in order to complete the project successfully and overhead support.*

Attachment: Draft Community Technology Grant Agreement with Indigenous Media Guild.

#### **E. Imagine Black Futures**

Recommendation:

“Approve the Community Technology Grant Agreement with Imagine Black Futures for a total of \$250,000.”

Background:

**Final Grant Request: \$250,000** (Pre-Application Grant Request: \$250,000)

**Final Total Project Budget: \$950,000** (Pre-Application Total Project Budget: \$950,000)

Public Benefit Area: Improving Community Involvement

The “Imagine Black Futures Content Creation Studio” project seeks to engage and empower Black residents of Multnomah County by providing a platform for their voices to heard. Through the production of high-quality video content, they seek to address key issues facing the Black community and inspire meaningful dialogue and action. Grants funds will be utilized to invest in professional equipment necessary for all aspects of video production and to create a small in-house studio used only for audio and video recording purposes. In addition, Imagine Black Futures aims to expand access and foster knowledge sharing within the Black community by recording interviews on the street, capturing community narratives, and sharing out video content of educational sessions held in their on-site community education room. A minimum of 12 episodes will be created covering topics such as community care, Black joy, Afro-Ecology and civic engagement. All video content produced will be shared out via Open Signal for cable distribution. Imagine Black Futures will be working with LABS Media (formerly Open Signal Labs) for training needs; they have received funding to support the “people” side of this project from Prosper Portland’s Seed Grant program, Kaiser Permanente, and more.

Attachment: Draft Community Technology Grant Agreement with Imagine Black Futures.

**F. Extending Grace\***

*\*Extending Grace is the fiscal sponsor for Loco Por La Aventura*

Recommendation:

“Approve the Community Technology Grant Agreement with Extending Grace for a total of \$131,755.”

Background:

**Final Grant Request: \$131,755** (Pre-Application Grant Request: \$131,755)

**Final Total Project Budget: \$263,510** (Pre-Application Total Project Budget: \$224,010)

Public Benefit Area: Reducing Disparities

The “Trailhead” documentary project aims to promote outdoor activities, a healthy lifestyle and environmental conversation within the Latino community, which often faces barriers to adopting outdoor activities due to cultural and language differences. Loco Por la Aventura aims

to recruit and train Spanish-speaking filmmaking professionals in the Portland area to make a feature-length documentary (told in Spanish with English subtitles) that captures the personal journey of an immigrant couple, showcasing the transformative impact of outdoor activities. Newly purchased professional grade equipment will be used to produce the documentary and after, Loco Por la Aventura staff will conduct workshops (offered in Spanish) and practical skills-building courses for the Latino community. The equipment will also be made available to the Latino community for use on their own filmmaking projects. In addition, Loco Por la Aventura plans to use the equipment to produce additional documentaries focused on inclusivity, outdoor activities and mental health – ultimately launching a 12-episode adventure series tailored for the Latino community. All produced video content will be shared with the community media centers for cable distribution.

Attachment: Draft Community Technology Grant Agreement with Extending Grace.

NOTE: Draft Grant Agreements and Attachments provided in separate PDF due to document size.

Prepared by:  
Rana DeBey  
June 10, 2024



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland,  
Troutdale & Wood Village*

## **COVER SHEET – AGENDA ITEMS #R3**

For Commission Meeting: June 17, 2024

“Election of MHCRC Chair and Vice Chair”

### **Commissioner Term Status**

All Commissioners are eligible for the Chair or Vice Chair position.

### **Elections Process**

1. Members submit nominations for Chair and Vice Chair positions prior to the June meeting.
2. Staff circulates a nominations list to the full Commission
3. At the June meeting, Commissioners finalize the nominations list.
4. Commissioners vote upon the names nominated (by oral vote or electronic polling).
5. Votes are tallied for the Chair position first and then the Vice Chair position.
6. If more than one candidate, votes will take place in alphabetic order by last name.
7. If a candidate gets the majority of votes, they will be confirmed in the position. If not a majority, then there will be a run-off vote between the top two candidates.

### **BACKGROUND**

The Intergovernmental Agreement empowers the Commission to adopt Rules of Procedure governing its conduct of business. With regard to the election of officers, the Commission’s Rules of Procedure state:

**Officers.** The Commission shall elect a Chair and Vice Chair (Officers) from among its members.

**Term of Office.** The Officers' terms of office shall be for one year from July 1 through June 30. Officers may be elected to no more than three full consecutive terms.

**Election.** Commissioners may nominate Officers by oral motion. After the close of nominations, the Commission shall vote in writing or by oral motion upon the names nominated. The election of officers shall be by a majority of Commissioners.

**Chair.** The Chair shall have the duties and powers to:

- A. Direct the preparation and distribution of an agenda for all Commission meetings;
- B. Preside over all deliberations and meetings of the Commission;
- C. Vote on all questions before the Commission;



D. Call special meetings of the Commission in accordance with these Rules of Procedure;

E. Sign all resolutions, orders, contracts and other documents memorializing Commission action;

F. Establish committees and appoint members and chairs.

Vice Chair. During the absence, disability or disqualification of the Chair, the Vice Chair shall assume all the duties and powers of the Chair. In the absence of both Officers, the Commission shall elect an acting Chair.

Prepared by: Rebecca Gibbons  
June 12, 2024

## **INFORMATION ONLY**



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale & Wood Village*

## **MEMORANDUM**

For Commission Meeting: June 2024

To: Mt. Hood Cable Regulatory Commission

From: Kevin Block

RE: June 2024 Policy Update

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### **FCC “Net Neutrality” Order**

At the FCC’s April 25<sup>th</sup>, 2024 meeting they voted 3-2 to reclassify broadband as a telecommunications service and therefore reinstate federal regulation of the service. The decision explicitly waived federal regulation of rates.

The flurry of legal appeals has begun:

- Texas Cable Ass’n v. FCC, No. 24-60263 (5th Cir. May 29, 2024)
- Ohio Telecom Ass’n v. FCC, No. 24-3449 (6th Cir. May 28, 2024)
- Ohio Cable Telecomm. Ass’n v. FCC, No. 24-3450 (6th Cir. May 28, 2024)
- Missouri Internet & Television Ass’n v. FCC, No. 24-2092 (8th Cir. May 28, 2024)
- Florida Internet & Television Ass’n v. FCC, No. 24-11701 (11th Cir. May 28, 2024)
- CTIA – The Wireless Ass’n v. FCC (D.C. Cir. May 29, 2024)
- Wireless Internet Servs. Providers Ass’n v. FCC (D.C. Cir. May 30, 2024)
- ACA Connects v. FCC (D.C. Cir. May 31, 2024)
- National Consumer Law Center v. FCC & USA, No. 24-1529 (1<sup>st</sup> Cir.)
- Media Alliance v. FCC & USA, No. 24-3442 (9<sup>th</sup> Cir.)

The FCC has filed for the case to be transferred to the D.C. Circuit. As of right now, it is unclear which circuit will hear the case.

### **FCC 2024 Marketplace Report**

On June 6<sup>th</sup> 2024, MHCRC submitted comments to the FCC regarding the state of competition in the video content marketplace. The full comments are in your packet, but the main points are summarized here:

- The MHCRC applauds the FCC for their decision on the “All-in” pricing docket and notes our request for reconsideration regarding PEG fees as franchise fees.
- The MHCRC encourages the FCC to ban early termination fees and billing cycle fees in the “Junk Fees” docket
- The MHCRC notes that there have been strong indications that Zippy will exit the cable market in our region in the near future.



## Federal Legislation Update

Bundling the federal legislation update in one section here as the current situation on Capital Hill makes it highly unlikely that anything significant passes in the immediate future.

The Federal bills of primary concern to the MHCRC are:

- *HR 907 – Protecting Community Television Act (Support)*
  - The Act would amend the Communications Act of 1934 to limit the definition of franchise fees to only a tax, fee, or other monetary assessment. This would prevent franchisees from including in-kind services such as PEG channels as part of the franchise fee.
  
- *HR 3557 – American Broadband Deployment Act (Oppose)*
  - Eliminates cable franchise renewals, thereby removing ability of state or local communities to enforce franchise obligations such as build-out, customer service, and PEG
  - Allows cable franchisees to modify the terms of franchise agreements and to renege on cable franchises
  - Affirmatively grants cable operators the right to provide non-cable services while prohibiting localities from imposing any fees on cable operators' revenue from non-cable services
  - Implements unnecessary shot-clocks and limits the ability of localities to modify requirements based on current and future needs



**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2024 Communications Marketplace	)	GN Docket No. 24-119
Report	)	
	)	

**COMMENTS OF THE MT HOOD CABLE REGULATORY COMMISSION (MHCRC)  
REPRESENTING PORTLAND, GRESHAM, TROUTDALE, WOOD VILLAGE,  
FAIRVIEW, MULTNOMAH COUNTY**

Julia DeGraw  
Chairperson  
MHCRC  
1810 SW 5th Ave  
Portland, OR 97201

June 6, 2024

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2024 Communications Marketplace	)	GN Docket No. 24-119
Report	)	
	)	

**INTRODUCTION**

The Mt. Hood Cable Regulatory Commission (MHCRC) is an intergovernmental commission charged with negotiating and managing cable franchise agreements, resolving cable subscriber complaints, and protecting local control of the public right of way. The MHCRC represents the Cities of Portland, Troutdale, Gresham, Wood Village, Fairview, and Multnomah County. The MHCRC welcomes the opportunity to submit comments regarding competition in the communications marketplace as part of the Office of Economics and Analytics biannual Communications Marketplace Report. Specifically, the MHCRC seeks to submit comment on the Competition in the Video Marketplace section of the report.

**ALL-IN PRICING**

The MHCRC applauds the FCC’s recent 3-2 vote to adopt the “All-in” pricing rules for cable and direct broadcast satellite providers. As an advocate for both consumer protections and local control, the MHCRC strongly supports requiring cable and DBS providers to clearly disclose the “All-in” price for their services on bills and advertising materials.

The MHCRC would also like to draw the FCC’s attention to an error in its report and order regarding the “All-in” pricing rules. The report indicates that public, education, or governmental (PEG) fees used for capital costs that are part of a franchise agreement are

“franchise” fees. However, the definition of franchise fees set forth in 47 U.S.C. § 542(g)(2)(C) explicitly excludes PEG fees used for capital costs. The MHCRC is a signatory to a request for reconsideration submitted by Best, Best, and Krieger LLP that seeks to correct this error<sup>1</sup>.

### **JUNK FEE ELIMINATION**

The MHCRC seeks to comment on the elimination of “junk fees” such as early termination fees (ETF) and billing cycle fees (BCF). Specifically, the MHCRC supports the elimination of such fees as they hamper competition and create a lack of transparency for consumers. Similar to the “All-in” pricing decision, the MHCRC participated in a coalition through Best, Best, and Krieger to submit comments<sup>2</sup> and reply-comments<sup>3</sup> on the “junk fee” docket.

### **COMPETITION IN THE MARKETPLACE**

The jurisdictions represented by the MHCRC are currently served by two providers, Comcast and Zply. Cable subscribers in the region are declining as they are across the country and there have been indications that Zply is likely to exit in the market within the next six months. That would leave Comcast as the sole cable provider in the region. For reference, according to the Leichtman Research Group, in 2023 cable providers lost approximately four million subscribers nationally. That represents a decrease in subscribers by about 10%. In the MHCRC jurisdictions, we have seen a similar trend in franchisee reports.

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<sup>1</sup> <https://www.fcc.gov/ecfs/search/search-filings/filing/10517191030873>

<sup>2</sup> <https://www.fcc.gov/ecfs/search/search-filings/filing/10731536612830>

<sup>3</sup> <https://www.fcc.gov/ecfs/search/search-filings/filing/108290670812760>

## CONCLUSION

The MHCRC would like to thank the Office of Economics and Analytics for this opportunity to submit comment regarding the cable marketplace. While recent rulings by the FCC will have a positive impact for cable subscribers, the number of subscribers will continue to decline in the coming years. This means that the MHCRC jurisdictions risk being subject to a monopoly, stifling growth and competition, when overall video marketplace needs are growing.

Respectfully submitted,

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Julia DeGraw  
Chairperson  
MHCRC  
1810 SW 5th Ave  
Portland, OR 97201

June 6, 2024

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2024 Communications Marketplace	)	GN Docket No. 24-119
Report	)	
	)	

**COMMENTS OF THE CITY OF PORTLAND, OREGON**

Seema Gadh Kumar  
Chief of Community Technology  
City of Portland  
Bureau of Planning and Sustainability  
1810 SW 5th Ave  
Portland, OR 97201

June 6, 2024

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2024 Communications Marketplace	)	GN Docket No. 24-119
Report	)	
	)	

**INTRODUCTION**

The City of Portland (the City) welcomes the opportunity to submit comments regarding competition in the communications marketplace as part of the Office of Economics and Analytics biannual Communications Marketplace Report. Specifically, the City seeks to comment on section II, competition and service availability for fixed broadband services, and section IX, bridging the digital divide. Comments with respect to section II will include discussion and recommendations related to the Mixed-Use Rule, Multiple Tenant Environment (MTE) pricing, and broadband data collection methodologies. Comments with respect to section IX will provide critical information regarding the digital divide in Portland and how the City’s recommendations will help to close the divide.

**II. COMPETITION AND SERVICE AVAILABILITY FOR FIXED BROADBAND SERVICES**

***The Mixed-Use Rule***

The Mixed-Use Rule as defined in the FCC’s 2019 *Third Report and Order* (MB Docket No. 05-311) poses a barrier to competitive entry for broadband providers to enter markets that are served by an incumbent cable provider. According to the Mixed-Use Rule, Local Franchising Authorities (LFA) are prohibited from using their cable franchising authority to regulate any services other than cable services provided over the cable systems of any incumbent cable

operator that is a common carrier. This creates a disparity between broadband-only providers and broadband providers who are also incumbent cable providers. Incumbent cable providers only have to pay right-of-way fees on constantly decreasing cable revenues. Whereas broadband-only providers are subject to right-of-way fees based on much higher broadband revenues.

This is the exact situation in the broadband marketplace in Portland. The largest broadband provider, Comcast, only pays right-of-way fees on cable revenues due to the Mixed-Use Rule. Cable revenues are declining nationally and represent only a small part of the total revenue generated by Comcast operating broadband services in the public right-of-way using the same distribution system as their cable services. For reference, according to the Leichtman Research Group, in 2023 cable providers lost approximately 4 million subscribers nationally. That represents a decrease in subscribers by about 10% across the country. The local franchising authority for the City of Portland has seen a similar trend in franchisee reports. Competitors, such as Quantum Fiber, are at a competitive disadvantage due to this regulatory structure that favors incumbent cable providers.

As the level of government closest to the protection and growth of its constituents, municipalities have been entrusted with the fair and just management of the right-of-way and we must ensure that residents receive fair and just compensation for use of this public asset. According to S&P Global, incumbent cable internet service providers made approximately \$75 billion in 2022. Assuming a standard 5% franchise fee that would have resulted in approximately \$3.75 billion in municipal revenues nationwide for just 2022. The revenues gained from right-of-way fees support the provision of essential community benefits such as digital-equity services, fire and rescue, park maintenance, community resilience, disaster preparedness, and much more. As such, our recommended course of action is for the FCC to revisit its decisions regarding

Section 621(a)(1) of the Cable Communications Policy Act of 1984 and revoke the Mixed-Use Rule.

### ***Multiple Tenant Environment (MTE) Pricing***

In the FCC's 2022 Report and Order regarding Improving Competitive Broadband Access to Multiple Tenant Environments (GN Docket No. 17-142) the Commission clarifies its rules with respect to exclusive marketing agreements between property owners and providers. This order built upon the Commission's 2007 decision that banned exclusive access agreements between cable providers and property owners (MB Docket No. 07-51). Specifically, the 2022 Report and Order requires that providers disclose the existence of the agreement and that other providers might be available on any advertising materials distributed to the tenants of an MTE. The intent of this ruling was to lower barriers to competitive entry into the MTE marketplace by ensuring consumers knew that they potentially had a choice of providers to choose from. This was a necessary decision because despite the 2007 ban on exclusive access agreements, it is still possible for a property owner to prevent a new provider from accessing the premises to provide service to a tenant. Unfortunately, this means that while exclusive access agreements are banned, there are still de facto exclusive agreements in many MTEs.

The City is in support of the 2022 decision and applauds the FCC for taking those steps. Furthermore, the City would encourage the FCC to take additional steps to increase transparency in the pricing of exclusive advertising agreements. Specifically, the FCC should require that providers disclose the price being paid to property owners in exchange for exclusive advertising agreements. Disclosing this price would put all property owners, tenants, providers, and regulators on a level playing field. Taking this step would be in alignment with the FCC's 2022 decision and decrease barriers for potential competitors to enter the market. The lack of



transparency around exclusive advertising agreements has been cited by a broadband provider to the City of Portland as a reason that, despite having a significant amount of infrastructure already in place, they have not entered the market. Furthermore, pricing transparency would help to better inform the Commission's future considerations regarding bulk-billing arrangements that were announced by Chairwomen Rosenworcel in March of 2024.

### ***Broadband Data Collection Methodologies***

The City of Portland supports the Office of Economics and Analytics proposal to use the BDC to evaluate broadband availability for December 2023 and utilize both the BDC and Form 477 to evaluate historical trends. However, the City strongly advises the Commission to consider requiring providers to disclose services provided rather than services advertised. Currently, BDC allows providers to report advertised services. In largely urbanized areas like the City of Portland this creates a lack of transparency around what services are actually available to each broadband serviceable location. Additionally, it enables exploitation of a loophole where providers can advertise services to an area without having the capability to actually provide services in those areas when consumers reach out to providers. Furthermore, this loophole effectively allows providers to artificially inflate their service areas and therefore ward off potential competitors. Requiring providers to report provided services that reflect real-time capability would close this loophole and remove a barrier to competitive entry into the marketplace.

## **IX. BRIDGING THE DIGITAL DIVIDE**

In 2022 the City of Portland and ECONorthwest partnered to gather the best available data and define the scope, barriers, and opportunities with respect to the digital divide in Multnomah County. The results were stark. As expected, high-income households were almost universally well connected. However, 23% of non-Hispanic white households earning less than

\$25,000 a year did not have internet access. That number nearly doubles to 40% of BIPOC-headed households within the same income bracket. The full study can be found on the [City of Portland Bureau of Planning and Sustainability's website](#).

The study also helped to illuminate the differences and similarities in the form the digital divide takes in rural and urban communities. In the State of Oregon approximately 70% of unconnected households are located in urban areas. Furthermore, in urban areas the primary barrier to getting connected is affordability while in rural areas both affordability and deployment are barriers. The Broad Equity Access and Deployment (BEAD) program as defined in the Infrastructure Investment and Jobs Act (IIJA) will help to lower the deployment barrier in rural areas. However, only a small portion of the Federal funds for bridging the digital divide might reach urban areas. This disparity is further exacerbated by the end of the Affordable Connectivity Program and the near monopoly status of the broadband market in Portland. Given all these factors, it should be expected that the digital divide in Portland and similar communities will likely grow larger in the coming years.

There are actions that could be taken that would help mitigate or reverse this course. Overturning the Mixed-Use Rule would reduce competitive market barriers and potentially unlock local funding sources for digital equity programs and infrastructure investment. Increasing transparency in MTE advertising and pricing would reduce competitive market barriers and therefore decrease the cost of services. Requiring broadband providers to disclose services provided rather than advertised would reduce market barriers and increase transparency for local jurisdictions to guide infrastructure development and target digital equity services.

## CONCLUSION

Despite unprecedented recent Federal investment in broadband infrastructure; the digital divide in urban areas like Portland will likely persist or even worsen in the coming years. This is in large part due to near monopoly or duopoly market conditions as well as with the Affordable Connectivity Program officially ending on June 1, 2024. Affordability is the critical barrier to getting connected in the City of Portland and municipalities across the country. The recommendations included in this letter will help reduce competitive market barriers, increase transparency, thereby promoting accessibility through the expansion of affordable broadband connectivity options. Thank you for this opportunity to submit comments regarding the communications marketplace.

Respectfully submitted,

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Seema Gadh Kumar  
Chief of Community Technology  
City of Portland  
Bureau of Planning and Sustainability  
1810 SW 5th Ave  
Portland, OR 97201

June 6, 2024

# Cable Complaints Summary



5/11/2024 6/11/2024

## Comcast

Complaints      Avg Days to Solve  
**2**                      **7.0**

## Ziply

Complaints      Avg Days to Solve  
**0**                      **--**

## Complaints by Issue

Issue Type	Count of Tickets
Billing/Cost	1
Installation/Repair	0
Other	0
Phones	0
Service Quality	1
<b>Total</b>	<b>2</b>

## Complaints by Issue

Issue Type	Count of Tickets
Billing/Cost	0
Installation/Repair	0
Other	0
Phones	0
Service Quality	0
<b>Total</b>	<b>0</b>

## Complaint Volume by Zip Code

