

MT. HOOD CABLE REGULATORY COMMISSION
Open Signal Community Media
September 18, 2017 Meeting Minutes – [DRAFT](#)

SUMMARY MINUTES

THESE MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE COMMISSION AT A SUBSEQUENT MEETING. PLEASE REFER TO SUBSEQUENT MINUTES FOR APPROVAL OR CHANGES.

Call to order: 6:31

- Roll Call
Commissioners present: Leif Hansen (Chair), Scott Harden, Rich Goheen, Sue Dicile, Norm Thomas, Carol Studenmund, Mike Bennett

Staff: Ann Goldenberg, Staff Director; Ben Walters, Legal Counsel; Julie Omelchuck, Program Manager; Scott Ellertson, Program Coordinator; Rebecca Gibbons, Digital Equity Program Coordinator; Tyler Dice, Assistant Program Specialist.

- Agenda Review: Hansen reminded Commissioners that he will convene an executive session prior to adjourning the regular meeting and that the MHCRC meeting packet contained a notice regarding the executive session.
- Disclosures: None.
- Public Comment (non- agenda items): None.

- **CONSENT AGENDA – NO DISCUSSION**

- C1. June 19, 2017 Meeting Minutes
- C2. July 17, 2017 Meeting Minutes
- C3. Community Technology Grant Agreement: NW Film
- C4. Community Technology Grant Agreement: XRay.FM
- C5. Community Technology Grant Agreement: Flying Focus
- C6. Community Technology Grant Agreement: Multnomah County Library
- C7. Community Technology Grant Agreement: Outside the Frame
- C8. Community Technology Grant Cycle Funding Allocation & Pre-Application Deadline

MOTION: Dicile moved to approved the consent agenda as presented. Thomas seconded.

VOTE: 7-0 passed

- **REGULAR AGENDA**

R1. Media Centers Annual Activity Reports

- MetroEast Community Media
Marty Jones, MetroEast Community Media, shared highlights and a video from fiscal year 2016-17. Highlights included the 1000th episode of Community Hotline and securing corporate sponsorship. MetroEast is a semifinalist for Ninety-Nine Girlfriends Collective Giving for Impact grant.
- Open Signal
Justen Harn, Open Signal, shared highlights and a video from fiscal year 2016-17. Highlights included an increase in workshops and improvements toward serving certain populations over the previous year.

R2. Contingency Request: Legal Assistance for Frontier Franchise Renewal

Goldenberg provided an overview of the contingency request for \$15,000 to engage legal counsel for the Frontier franchise renewal. Beery, Elsner & Hammond, LLP., the law firm, is the same legal team that the MHCRC engaged for the original franchise with Verizon (now Frontier). In response to a question from Hansen, Goldenberg said that the \$15,000 was an initial estimate to get started on the renewal. In response to questions from Goheen and Dicile, Goldenberg stated that staff wants to ensure we've vetted issues related to the East County-Frontier franchise and have a strategy in place prior to meeting with Frontier. Walters stated that the City of Portland provides routine legal services to the MHCRC under the administrative services agreement, but does not provide legal services for non-routine activities, such as franchise renewals. In response to a question from Hansen, Goldenberg stated that the current franchise expires December 2018, and that Frontier did not request a formal renewal process. Goldenberg stated that she plans for the renewal process to be done by the end of this fiscal year, but that may change depending on unforeseen issues.

MOTION: Dicile moved to allocate up to \$15,000 from the FY17-18 contingency fund for legal services for the Frontier Franchise renewal. Studenmund seconded.

VOTE: 7-0 passed

- Staff Activity Reports and Updates
 - FCC/Federal/Oregon legislative
Goldenberg stated that this has been a very active season for the FCC. The MHCRC submitted many comments on hearings and notices. A currently pending rulemaking is the FCC's annual 706 review which seeks input about the current broadband standard for in-home service; the FCC is proposing to reduce the broadband standard to a level where mobile phone service would meet the standard. Reply comments are due October 6th. Dicile stated that this has been an issue of interest to the MHCRC in the past and asked if the MHCRC filed comments in this proceeding. Goldenberg said the MHCRC did not participate in the initial comments and she is working with a legal consultant to see about filing with a consortium of cities. Dicile expressed an interest in having the MHCRC file reply comments based on the MHCRC's history of advocacy in this area.
 - Comcast rate increase – effective October 1, 2017
Ellertson noted the notice from Comcast on August 29, 2017 of a rate increase contained in the meeting packet. Staff handed out a comparison of Comcast rate increases over time. Comcast

began adding a separate broadcast fee in 2014, then began adding an additional sports fee in 2015; these fees total over \$14 per month. Subscribers must pay these fees in addition to the monthly rate of their programming package. The MHCRC staff, along with other Oregon cities, raised this cable company practice with the Oregon Attorney General's office. Staff is concerned that subscribers are not being made aware of these additional charges to their program package price or when they sign long-term contracts.

- TechSmart Initiative

Omelchuck said she is in grant discussions with Centennial and David Douglas school districts. She is also working on the second evaluation report with PRE, which she hopes to complete in time for the MHCRC planning retreat. Additionally, she noted that the TechSmart Initiative was initially intended to run through 2021. The MHCRC and staff need to begin planning toward that date.

- Other

Gibbons handed out the Digital Equity Action Plan: Year 1 Progress Report. She said the DEAP is a plan adopted by the City of Portland and the Multnomah County Commission and is being implemented by staff from the city's Office for Community Technology and the Multnomah County Library, in partnership with many community organizations, businesses and public entities. Gibbons presented highlights from the report. In response to a comment from Thomas, Gibbons stated that the participating cable companies were acknowledged in the report, along with the other community partners.

Goldenberg announced her election on NATOA Board of Directors. She said that some minimal travel is involved so she will consider a contingency request if it's not covered in the budget.

Dicile said she has concerns about staff's current capacity to accomplish the work load associated with all the items discussed tonight and others on the MHCRC's plate; she wondered if the MHCRC needs to review and prioritize how it's staff time is being used.

- Committee Reports

- Finance Committee: None
- Grant Committee: None
- Community Ascertainment Committee: None
- Open Signal Board Appointee: None
- MetroEast Board Appointee: None

- New business; Commissioner Open Comment:

Thomas stated allocation for Community Technology Grants 2018 competitive grant round seems low. He would like to discuss allocation on a future agenda. The current allocation is \$800,000 and Thomas would like the amount to be closer to \$1 million. Dicile stated its worth taking a holistic look at it. Omelchuck stated that staff uses the allocation more like a guideline. In the past, the MHCRC has funded both over and under the stated allocation.

- Franchisee Activity Report

- Frontier: None
- Marc Farrar, Comcast, stated that Comcast sent 17 technicians to Houston and central Florida to the recent natural disasters. These employees are staying 30 days. Comcast announced today that they have donated \$2.5 million and generated \$20 million in hurricane relief. Comcast has an on-demand feature on the voice remote and subscribers can donate through their Comcast account. Farrar said Comcast put backpacks together for local schools. Comcast's Internet Essentials program is now on its 5th year. Comcast has recently raised the speed to 15megabits. Comcast's X1 remote can now search YouTube content, Netflix and Pandora. In response to a question from Dicile, Farrar stated that Comcast Internet Essentials program now has over 1 million subscribers. In the Portland/Oregon region, there are over 30,000 families using Internet Essentials. Farrar stated that if a school has 50% or more of its students receiving free or reduced lunch, the entire school qualifies for the program. In response to a question from Thomas, Farrar stated that Comcast is future proofing its structure and network. Farrar stated that the only time subscribers would pay the Regional Sports Network fee is if they purchase a package with a Root Sports Network Package. In response to a request by Omelchuck, Farrar said he would provide a list of packages that do not include sports network fees. Farrar said that all subscribers pay the Broadcast TV fee.
- Samantha Ridderbusch, CenturyLink, stated that she attended the NATOA national conference. CenturyLink participated in a Blazers 3 on 3 event and raised \$30,000 for Oregon Special Olympics. CenturyLink recently wrapped up its employee giving program, and raised \$28,000. CenturyLink is also helping with the disaster relief.
- Reliance Connects: None
- Public Comment: None
- Executive Session:
Hansen convened Executive Session at 8:06pm pursuant to ORS 192.660(2)(h), which allows the Commission to meet in executive session to consult with the Commission's legal counsel regarding the Commission's legal rights and duties regarding currently pending litigation.

Representatives of the news media and designated staff could attend the executive session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No members of the news media were in attendance. No decisions were made in executive session.

Walters provided an update regarding the Ranck complaint dismissal.

- Hansen adjourned the Executive Session at 8:39pm and welcomed the audience back into the meeting room.
- Hansen reconvened the Regular meeting at 8:40pm

- Adjourn 8:41pm

Respectfully submitted,
Tyler N. Dice
Assistant Program Specialist