

STAFF REPORT AGENDA ITEM #R9

For Commission Meeting: June 18, 2018

“Authorize Funding to Protect Local Authority over Use of Public Right-of-Way by
Cable Companies for Non-Cable Services”

Recommendation

Staff recommends that the MHCRC authorize up to \$1,100 from FY17-18 budget to join other local governments to thwart the cable industry’s efforts to have the FCC extend cable services franchise agreements to cover non-cable services.

Fund Allocation

The requested funds are an amount remaining in FY17-18 MHCRC budget for federal and state advocacy efforts.

Background

The NCTA (the cable industry’s national lobbying association) filed ex parte comments on a FCC reconsideration proceeding related to wireline infrastructure arguing that the FCC should allow cable companies to extend their authority under existing cable services franchises to include non-cable services, equipment and infrastructure (Wireline Infrastructure Docket/Reconsideration of §621). By utilizing the Wireline Infrastructure Docket, the cable companies are attempting to by-pass the normal rule-making process and to fast-track their agenda to avoid local and state policy-making related to use of public right-of-way for non-cable services, such as broadband, wireless, and telecommunications services.

Staff recommends that the MHCRC join other local governments, through Best, Best and Krieger (BBK Law), to advocate for retaining local authority over public right-of-way and for not allowing the cable industry to bypass the normal rule-making process for an issue that would impact local cable services franchise agreements.

Prepared by: Scott Ellertson
June 8, 2018