

MT. HOOD CABLE REGULATORY COMMISSION
Remote Meeting via phone or computer, Portland OR
May 18, 2020, Meeting Minutes -- APPROVED

SUMMARY MINUTES

Call to Order: 6:35 pm

- Roll Call

Commissioners Present: Leif Hansen, Carol Studenmund, Jeff Dennerline, Norm Thomas, Jacquenette McIntire, Scott Harden, Kory Murphy.

Commissioners Absent: Richard Roche

Staff Present: Elisabeth Perez, Interim Staff Director; Julie Omelchuck, Program Manager; Rana DeBey, Grants Analyst; Cinthia Diaz Calvo, Administrative Specialist

- Agenda Review: No changes.
- Disclosures: None.
- MHCRC Chair – Committee Appointments
Hansen announced his Committee appointments as presented in the chart contained in the meeting packet.
- Public Comment: None.

CONSENT AGENDA – NO DISCUSSION

C1. March 16, 2020 Meeting Minutes

MOTION: Thomas moved to approve the Consent Agenda as presented. Harden seconded.

VOTE: 7-0

REGULAR AGENDA

R1. FY20-21 MHCRC Goals & Objectives

Omelchuck said staff developed the proposed FY20-21 goals and objectives, considering issues identified by the Commission at its February planning retreat and the anticipated workload contained in the MHCRC proposed FY20-21 budget. In response to a question from Studenmund, Perez said the MHCRC FY20-21 budget includes funds to support strategic planning with the Jurisdictions and staff will working with the newly appointed Committee to develop a plan. Omelchuck noted that this work is included in Goal IV, Objective 4.

McIntire asked about feedback or response from Jurisdictions to MHCRC budget presentations. Thomas said each Jurisdiction is different but often there is minimal feedback because the Juridictions trust the work their representatives do as the MHCRC. Hansen suggested that Commissioners reach out to their elected officials to ensure the Jurisdiction is aware of the budget and Commission activities.

MOTION: Harden moved to adopt FY20-21 Goals and Objectives. Dennerline seconded.

VOTE: 7-0

R2. MHCRC FY20-21 Fund Budget

Thomas referred to the Finance Committee recommended budget in the meeting packet and expressed appreciation for the staff work to develop the materials. He said the MHCRC proposed budget includes funding most of the items identified at the MHCRC planning retreat with the interest income on the MHCRC Fund.

Omelchuck highlighted the Jurisdictional appropriations were reduced for FY20-21 from current service level amounts. The reduced revenue is offset through staff being required to take furlough unpaid days and no cost of living or merit increases in FY20-21. She noted that the consulting support for one-time projects is included in the professional services line item for the Franchise Administration program.

Studenmund appreciates that the special projects identified at the retreat are included in the budget. Hansen noted that the franchise fees are forecasted based on past subscriber numbers and actual revenue through current year 2nd quarter so the Commission will need to closely monitor these going forward.

McIntire mentioned that the budget process can be complicated and expressed appreciation for the work of the Finance Committee and staff.

MOTION: Studenmund moved to adopt the FY 2020-21 MHCRC Fund Budget and forward it to the member Jurisdictions with a recommendation for approval. Harden seconded.

VOTE: 7-0

Hansen encouraged Commissioners to reach out to staff if they need support presenting the MHCRC budget at their Jurisdiction meeting.

- Staff Activity Reports and Updates
 - Public Policy/Legislative/FCC: Perez mentioned that all efforts are focused in COVID-19 response. As of FCC In-Kind Cable Order, the appeal to stay was denied; briefings will start May 15th; and oral arguments will take place in 2021. Perez and Harden expressed appreciation for staff member Bea Coulter public policy memo contained in the meeting packet. Harden encouraged Commissioners to share the information with their Jurisdictions.
 - Comcast I-Net End-Fund Report: Omelchuck referred to the staff report in the meeting packet and noted that there have not been expenditures from this fund for several years. Discussions are still underway with Comcast on ideas to use the funds in the upcoming fiscal year.
 - Community Needs Ascertainment: Omelchuck said the work continues mostly on track; however, the final draft report for discussion by the Commission has been delayed one month and won't be available until end of June due to COVID related issues. In response to a question from McIntire, Omelchuck said staff has not yet reviewed CBG's draft analysis so staff did not have much to share at this point. Omelchuck noted the ascertainment provides a unique data set as the data collection activities concluded just before the COVID-19 situation started in Multnomah County. In response to a question from Studenmund, Omelchuck said that participation in some areas of data collection was sufficient and in others lower than anticipated. However, the report will include robust qualitative and quantitative data on communications technology needs of Multnomah County residents and organizations.
 - Comcast Franchise Renewal: Perez has had some preliminary conversations and she is developing a renewal process and timeline. Perez said things to consider include Commissioner involvement, COVID-19 impacts, and communications with the Jurisdictions.
 - Comcast Updated Subscriber Count: Perez said there was an error in Comcast's 2018 annual report, which has since been corrected, that resulted in subscriber numbers increasing while revenues declined.
 - Comcast Force Majeure – Phone Answering Standard: Perez said Comcast provided notice that it did not meet the phone-answering standard for Jan-Feb. 2020 due to Force Majeure related to COVID closures. Staff agreed and no corrective action is warranted at this time. Comcast is working to rectify the issues by the next quarterly report.
 - Frontier/Northwest Fiber Transfer/ New Name/Frontier Bankruptcy Filing: Perez confirmed that Frontier filed for Chapter 11 Bankruptcy and Frontier affirmed there will be no impact on franchise fee and PEG/I-Net fee payments. Frontier is now named Ziply in our service areas. In response to Commissioners' comments, Omelchuck said Frontier has paid fees through March 2020 so non-payment risk is low at this point and Ziply is obligated to make payments going forward.
 - Other: The MHCRC Annual Report is anticipated to be ready by May 22 for inclusion in the Jurisdictional budget packets.
- Committee Reports
 - Finance Committee: None.

- Jurisdiction Needs Assessment Committee: None.
- Open Signal Board Appointee: Murphy said that Open Signal has a very adaptable staff. Studenmund said Open Signal had great services prior to the COVID-19 situation and the Board is very capable.
- MetroEast Board Appointee: Dennerline said the MetroEast Board will have its first virtual meeting next week.
- New Business/ Commissioner Open Comment: Hansen said his term on the Commission ends in June and he is not seeking reappointment. He also noted the Commission will elect a new chair and vice chair at its June meeting. Perez said she is working on a possible extension for Hansen's term with the Portland Mayor's office.
- Meeting Schedule:
 - June 15 – TBD
 - July/August – Recess
 - September 21 - TBD
 - October 19 – TBD
 - November – Recess
 - December 21 – Open Signal
- Franchisee Activity Report
 - Frontier/Zipty: none.
 - Comcast: Tim Goodman, Senior Director of Government Regulatory Affairs at Comcast, mentioned several COVID related business system transitions: In three weeks 6,500 employees in West Division call centers transferred to working from home and call center traffic increased five-fold in March, which impacted the call response times. April standards are back on track to meet call answering standards. Internet Essentials changes responsive to COVID, included a speed increase, first two months free and then \$9.99/month, and waived prior debt restrictions. Comcast has Sponsored Service agreements with Portland Public Schools, Reynolds School District, and Portland Community College for Internet Essentials; six-month agreements where service free first two months and partner pays next four months. Goodman said the subscriber numbers were skewed in 2018 due to a couple subscriber categories were double counted. Comcast cancelled its Cares Day and instead invested \$300,000 with non-profit organizations to provide flexible funding. Studenmund and McIntire commended Comcast for its expansion of the Internet Essentials program and for reaching people who need connectivity. In response to a question from Hansen, Goodman said the drop-in subscribers in this region was slightly more than the national average; however, they are seeing an increase in on-demand movies, the Flex program for streaming video, and the Peacock streaming service.
 - CenturyLink: Samantha Ridderbusch, State and Local Government Affairs Director, said she has been impressed with CenturyLink's responsive approach to customer needs and quick transitions for employee safety. CenturyLink is matching employee contributions to food security organizations and improved support for front-line workers. Teachers and Technology Grant awarded \$500,000 in grants, four to teachers in the Oregon market. CenturyLink is investing in more fiber across the country and Portland is targeted for fiber deployment.
- PEG Provider Activity Report
 - Open Signal: Provided update by email sent to Commissioners.
 - MetroEast Community Media: None.
- Public Comment: None.
- Adjourned at 8:15 pm.

Respectfully submitted by:
Cinthia Diaz Calvo, Administrative Specialist