

Present: Doctoroff, Fleischer, Hall, Spivak - Birmingham
Borgon - Beverly Hills
Leckie - Bingham Farms

Absent: Abbott, Devereaux and Kuhne - Birmingham
Janks - Beverly Hills
DiSessa - Franklin

Also present: Hagaman - Cablecasting Board Administrator
Martinico - Director of Technology, Birmingham Schools
Colgan - Municipal/Library Access Channel
DiMaria - MediaOne representative
Currier - Birmingham City Attorney
Buterbaugh - Beverly Hills Council representative

MediaOne representatives present: Greg Cannon, Vice-President of Law and Public Policy; Joe Geroux, Director of Field Services; Janine Morse, Director of Office Services; Frederick Collman, Director of Construction Engineering; and, Jeffrey Wack, Manager of Marketing Communications.

Chairperson Hall called the meeting to order at 7:58 a.m. in the Rotary Room of the Baldwin Public Library at 300 W. Merrill Street.

APPROVE MINUTES

MOTION by Leckie, supported by Borgon, that the minutes of a regular Cablecasting Board meeting held on July 21, 1999 be approved as submitted.

Motion passes unanimously.

POTENTIAL ORDINANCE VIOLATIONS (continued from July meeting)

Hall stated that there have been a number of subscriber complaints over the last few months that involve issues that may or may not be Ordinance violations. It is up to this Board to make that determination. A motion was passed at last month's Board meeting that found Media One to be in technical violation of the Cable Ordinance with regard to the identification of MediaOne contractors and vehicles. Sanctions were held in abeyance until this month at which time a report from MediaOne would identify steps taken to correct the situation. The Board will listen to MediaOne's response and decide whether sanctions should be imposed for violation of the Ordinance.

The Board is in receipt of a memo dated August 17, 1999 from Joe Geroux outlining the steps MediaOne has taken to address these concerns. Geroux informed the Board that meetings were held over the last 30 days with all five companies that work for MediaOne in Detroit to reinforce the requirement that all trucks use magnetic signs at all times. MediaOne issued signs for contractor trucks that were missing and purchased additional signs to have in reserve.

MediaOne also reviewed with contractors the requirement to display picture identification badges. All of the contractors had these badges. Contractors must display identification badges in order to receive their materials. This practice was reinforced. Quality inspectors who are out in the field interviewing customers were asked to make this part of their inquiry. Geroux provided the Board with MediaOne Contract Requirements.

Geroux stated that any questions regarding verification of a contractor should be communicated to the MediaOne call center and immediately given to a supervisor. Geroux has staff in the field along with Rick Collman, Director of Construction, who has supervisors on call 24 hours a day. In the event that a police officer stops any MediaOne contractors market-wide, MediaOne wants a management employee to be contacted. The procedure would involve the contractor using their mobile radio to contact their supervisor and MediaOne. A procedure is being implemented at the call center whereby questions involving a contractor would require the customer service representative to page field or engineering construction management for verification.

Frederick Collman, Director of Construction Engineering, stated that there have been meetings with construction contractors to reinforce the signage issue. There are also quality control people observing construction contractors to make sure they have their truck signs and identification tags.

Geroux displayed his picture identification and explained the process of issuing identification cards. The picture identification cards and dress codes were discussed.

Hall stated that there are two complaints in this month's packet (#72 and #81) that cite contractor trucks with no identification. Complaint #81 indicates that the lack of identification occurred in the first week of August. Hall was concerned with the effectiveness of MediaOne's steps to improve the identification problem.

Geroux responded that there have been a series of meetings over the last 30 days. Another thing that MediaOne is doing as an ongoing practice is to pull everyone into a weekly meeting to perform an inspection. Hall asked that the contractors be reminded at the next meeting that there has been a violation of the identification requirements within the last ten days. Geroux added that, if MediaOne is provided with as many details as possible, it would help identify the offending party.

DiMaria stated that MediaOne will push for 100% compliance, but that may not be the reality at all times. He believes that MediaOne is taking steps to be sure that everything possible is done to assure that the contractors are doing what is required of them.

It was questioned whether the identification problem will end soon because the communities are hooked up to the new system. Collman reported that everybody in this consortium is on the new channel line up. MediaOne is continuing to do quality control work to insure picture quality and repair construction issues before final certification. Those crews are generally dressed differently than individuals doing network construction. That construction is expected to continue through the end of the year.

DiMaria stated that a press release is going out today to the newspapers informing residents that MediaOne will still be doing work in their neighborhoods.

Doctoroff asked if MediaOne could run a bulletin across the television screen on cable television informing people of what is happening in the community.

Geroux answered that the ability to send that type of messaging is tied to the converter box. One of the benefits of the MediaOne system is that a subscriber does not have to have a converter on each television. MediaOne has purchased the capabilities for messaging to be activated and can start using messaging in a limited application once the rebuild is completed. MediaOne can only send messages to the outlets that have converters on it.

Doctoroff remarked that a message sent to one television in a household would probably alert the subscriber to that message. His concern is that MediaOne's corrective measures usually follow a series of complaints which is not good for public relations. Doctoroff stated that he has never received any information relative to implementing the rebuilt system. People in his neighborhood have never received information on the new cable line up.

Geroux stated that Jeff Wack, manager of marketing communications, will talk about some of the initiatives that MediaOne has taken to improve communications. DiMaria reiterated that customers will be contacted through a press release this week.

Doctoroff commented that people were told to expect Internet connection to be available within six weeks after the turn over of the new system. He asked how subscribers are going to know when that service is available.

DiMaria stated that, when a node is certified, it is released to MediaOne's high speed data group. The Internet people market that area.

Collman explained that the original scenario was that MediaOne would be able to offer the advanced services in a certain number of weeks after turning over the new channel line up. This is no longer the case because MediaOne made a decision to complete the certification process before offering high speed data.

Doctoroff stated that MediaOne had a contract to provide those new services by the end of June. Now MediaOne is saying that high speed data may not be available for sixteen weeks. The consortium is being penalized because MediaOne had to rush at the end to fulfill its contract.

Collman responded that MediaOne thought it would have its quality control done by that date. The cable company launched the video services ahead of the high speed data. That six week window has increased because MediaOne has to complete quality control. Collman stated that it is difficult to forecast which node will have high speed data on which date. He thinks that the certification process will go to the end of the year. Collman remarked that MediaOne is evaluating its process. The cable

company would like to have high speed data launched as quickly as it can, particularly in this market.

Hall asked about the availability of digital music.

Geroux stated that digital music and the interactive program guide were launched as part of the system. He remarked that certification is one of the most important elements for his operating group because it involves calibration of the system. Every foot of cable is tested and final calibration is done on every active device. The process identifies any potential failure point. MediaOne is in the process of testing digital node by node and checking the picture quality in the communities. The service will be marketed once it has been tested. Digital is a separate service that increases the amount of channels available. There are almost 200 channels including the channels in the new line up.

Wack stated that the digital music service available now has approximately 30 channels.

Geroux addressed questions on how to locate the music channel. He stated that a customer with Music Choice would typically have a Gerald 2200 converter. The audio comes through the television or it can be piped through a stereo system. It appears as another channel on the converter.

Janine Morse, Director of Office Services, stated that telemarketing people will be contacting customers with packages that are available after the rebuild and certification process. Typically, the Interactive Program Guide and Music Choice are not included with the package. Customers would have to call MediaOne and subscribe to these additional services.

Doctoroff asked how the customer would know about that service. He referred to the page of the brochure listing TV Services and Prices effective July 1, 1999 that apply to residential accounts. There is no price allocated for Music Choice.

Wack explained that Music Choice was recently converted from a stand alone service into every package that is available for NexTV. There is a line in the TV prices and services page that says, "Call today and ask about MediaOne's money saving NexTV Packages". The cost starts at \$5.95 per month.

Hall referred to a complaint (#75) that involves a subscriber with a problem with the Interactive Guide. The individual commented that it took MediaOne two months to correct the time problem. The complaint indicates that the guide is full of errors.

Geroux stated that the guide data is received from a primary source used for newspapers and other media sources. MediaOne does not track the schedules of all the channels produced. Some of the less viewed channels are not updated. The television guide is only as good as the updates that are received from each channel throughout the country. DiMaria added that the resident was contacted to make sure everything was fine and was issued a one month credit.

MediaOne representatives attempted to address questions about the new converter boxes. MediaOne's marketing group will be doing a lot of marketing and customer education through direct mail and telemarketing over the next 90 days. People will be receiving updated information. Fall campaign periods are the cable company's busiest times for customers to add services.

Hall brought the discussion back to the subject of potential ordinance violations. There is a possible ordinance violation with respect to answering the telephone. Hall quoted from the existing ordinance which requires sufficient customer service representatives and toll-free telephone line capacity during normal business hours to assure that a minimum of 90 percent of all calls will be answered within 30 seconds and 90 percent of all calls for service will not be required to wait more than 30 seconds after such call has been answered before being connected to a service representatives. All incoming customer service lines shall not be simultaneously busy more than three percent of the total time the cable office is open on any business day.

MediaOne has provided the Board with a call statistics report for the second quarter of 1999. It appears to indicate percentages for April, May and June of less than 90 percent. Hall has received a copy of a letter from MediaOne to Ameritech regarding this issue.

A resident is present today with a complaint about telephone answering. Birmingham resident Alan Kaplan related a problem with MediaOne regarding picture quality. He presented a history of attempts to resolve the problem which involved many phone calls to MediaOne beginning from July 19. He called MediaOne five times yesterday to learn if repairs would be made today. Three of the times he was cut off. He finally talked to a customer service representative who called him back about four hours later with an answer to his question at which time she indicated that she could not get an outside line to return his call earlier.

Kaplan related that, every time he called MediaOne, he was put on hold for 5-15 minutes before talking to someone in customer service. He does not think the customer service representatives are trained properly.

Hall stated that there are a couple of issues. The ordinance addresses answering calls for service and it speaks to responsiveness with respect to correcting a problem. Hall asked Kaplan if there have been occasions when he tried to reach MediaOne and has not been successful because nobody answered the line, it was busy, or where it was answered but he was put on hold without being able to speak with someone.

Kaplan stated that the phone was always answered by a machine and he was put on hold. The only people he can reach at MediaOne right away are the sales people.

Morse stated that meeting customer expectations since the last meeting has been extremely challenging. There have been two major storms that have gone through the area and taken power out which has created a lot of call volume. Morse stated that the call center has received 60,000 more calls in July than during the same period last year. The level of rebuild activity and storm damage caused the majority of the increased call volume and this is why MediaOne has not met customer

expectations. We are in an understaffed situation compared to the amount of activity that is going on.

There have been steps taken to alleviate the customer busy signals and hold times. MediaOne has instituted mandatory overtime in the call center. The quality assurance and support positions are helping to answer the phones. MediaOne has brought in temporary employees who have been trained and put on the phones. Morse put the 800 number for the call center on the weather channel and the character generated channel.

Morse stated that access to the call center should improve since the rebuild is complete and MediaOne has stopped activating nodes. She made test calls last week and was able to get through to the call center without receiving a busy signal.

Morse stated that MediaOne will be outsourcing some of its calls because it is rebuilding in several other areas and relief is not anticipated for several months. The organization will be handling about 64,000 calls a month for MediaOne on a temporary basis to make sure they are able to meet customer's needs.

Spivak questioned why MediaOne was not prepared for this based on experience with previous rebuilds.

Morse stated that MediaOne bases its staff on historical call volumes. They did not expect receiving an additional 60,000 calls this July. In the three years she has been in this area, MediaOne has never experienced the level of activity that was encountered with this rebuild. There have been a lot of customer education issues in the Birmingham consortium as MediaOne switches over the channels which causes customers to call for service. The HRC to Standard issue impacted every customer in the area.

There was discussion on the number of calls indicated in Morse's August 17, 1999 memo to Greg Cannon versus the call volume that appears on the statistics report. DiMaria stated that the numbers were affected when activation started. The calls answered were still in the 90% range in the first quarter of this year. There were problems beginning in April when activation started.

In answer to an inquiry, Morse stated that the call center has increased its staff by about 15-20 percent since 1998. From a customer education standpoint, this system was different as far as types of calls generated. There are very few communities that have gone through the HRC to Standard frequency change. Just about every customer is going to call us for assistance with switching their television into Standard mode.

Collman remarked that MediaOne has not seen the impact of the rebuild and turnover that it did in the Birmingham consortium. One of the reasons that MediaOne went past the end of June with the rebuild was to try to deal with subscribers in a more efficient manner. Everyone in the three communities is now on the new channel line up. MediaOne is still doing node switches to new channels in other communities, but has not seen the same volume of calls in those communities.

DiMaria stated that the rebuild activity to meet the June 30 deadline resulted in doubling the amount of nodes activated than what is normal.

Borgon commented that it appears that most of the increased call volume involves consumer education. He maintains that MediaOne needs to do a better job of educating this community. The Board members do not know what services are available. There should have been public relations releases in the newspapers that talk about what MediaOne is doing. Marketing people should do direct mailing. Borgon does not think the call volume would have been as high if MediaOne had done a better job of educating the public.

Fleischer thinks that there has been a problem since the phones calls were directed to the Plymouth call center. There are no customer service representatives dedicated just to the Birmingham consortium.

Hall asked DiMaria to comment on the MediaOne letter to Ameritech regarding a problem with people calling the call center and not receiving an answer. MediaOne believes that it is an Ameritech problem with the line. The Board asked for documentation of this contention through correspondence between MediaOne and Ameritech. Hall is in receipt of a letter dated July 16 from MediaOne to Ameritech which points out the problem and asks for immediate correction. Hall asked if MediaOne has had a response to their letter.

Cannon stated that it was discussed at the last Board meeting that people were getting a busy signal and they were also getting a message that the number had been disconnected. Those are all the wrong intercept message from Ameritech. Ameritech was informed of this in a letter from MediaOne. A meeting to discuss this issue was held last week between an account executive at Ameritech and a MediaOne call center phone manager and information technology director. Ameritech admitted that it was their problem and that they would take steps to correct the problem. Cannon believes that MediaOne has seen some improvement as far as the intercept type of messages. People are getting through to the call center rather than receiving a disconnect message or no answer.

Hall asked that the Board receive documentation indicating that Ameritech acknowledges a problem with their phone lines.

Hall concluded that the Cablecasting Board needs to make a decision on whether or not it believes that there were ordinance violations involving identification of people in the field and answering telephone calls. A motion could be made to direct legal counsel to prepare a document in which the Cablecasting Board recommends sanctions be imposed on MediaOne for those violations.

MOTION by Doctoroff, supported by Spivak, that the Board defer its decision on MediaOne ordinance violations until next month in order to determine whether there has been improvement by MediaOne with respect to resolving the problem of proper identification.

Ayes - Doctoroff, Leckie and Spivak

Nays - Borgon, Fleischler and Hall

Motion fails.

Hall stated that his reason for voting against the motion is due to the fact that the Board gave MediaOne one month at the last meeting to resolve the problems. MediaOne has responded to the issues, but there are ordinance violations. Fleischer does not think that MediaOne has shown good faith.

MOTION by Fleischer, supported by Borgon, that the Cablecasting Board finds MediaOne to be in violation of the Cable Ordinance and directs attorney Don Gillis to prepare a recommendation on assessing damages.

Ayes - Borgon, Fleischer and Hall

Nays - Doctoroff, Leckie and Spivak

Motion fails.

SUBSCRIBER COMPLAINTS

The Board addressed a number of the complaints received this month as part of the previous agenda item. There has been discussion of MediaOne procedures for reviewing the issues to the extent that they can. The need for further communication has been identified. Hall believes that it is the sense of this Board that MediaOne representatives return next month to update the Board on steps taken to correct problems resulting from the rebuild. He does not interpret either of the motions or the vote as an indication that the Board does not care about this issue. It is a matter of whether the Board is willing to hold MediaOne accountable for ordinance violations. Everyone on the Board is very concerned about these issues and their resolution.

Doctoroff expressed the view that it is time consuming and non-productive to continue to go over these issues which MediaOne is trying to resolve. The Board has heard explanations from MediaOne personnel, and they have been satisfactory. He would rather have MediaOne try to do a better job than escalate this issue to legal sanctions. Doctoroff would like to see what happens in the next month and would be satisfied with a written report. MediaOne representatives can return and defend themselves, but Doctoroff does not support requesting their presence.

Borgon added that any MediaOne representative who wishes to attend a meeting in support of DiMaria is welcome.

Buterbaugh had a question on a complaint #84 which involved the absence of volume during a portion of the August 2 Beverly Hills Council meeting. DiMaria explained how the problem was isolated and what is being done to assure that it will not occur again.

FRANCHISE RENEWAL

Hall stated that there was a meeting held on Monday between the negotiating team and the Board's legal counsel. The open items in the negotiations are the provisions between MediaOne and Birmingham Public Schools and the City of Birmingham's INET future. There has been a proposal received from MediaOne on the INET which has been forwarded to the Board's technical consultant, Dennis Fasset, for his review and comment.

Another issue is the continuing conversations between Mr. Gillis and Mr. Kreucher on specific wording issues related to the "level playing field" concept. There is an agreement between the two parties on the general concepts. Progress is being made on the exact wording.

MEDIAONE RELATED TOPICS

Update on Rebuild

The Board has been informed by MediaOne that the rebuild is complete as far as the new channels being available. The final certification may be done by the end of this year.

Hall directed the Board's attention to a memo from Jeffrey Wack dated August 17, 1999 addressing concerns that were identified at last month's meeting regarding customer communications. The memo addresses what is being done to improve customer education. MediaOne has completed a series of 30 second commercials which were prepared to provide customers updates on each stage of the rebuild. There is another commercial being created to address the certification process. The commercials will be aired on the channels that are carried by MediaOne. Each commercial will appear a minimum of 400 times during the month.

MediaOne is looking at different areas in which to communicate to customers about what is going on. A news release will go out this week to area newspapers regarding certification and what customers can expect. Board members are in receipt of copies of that press release.

A handout was distributed that covers how MediaOne is distributing the revised channel line up. This will be inserted in every customer bill beginning mid-August through mid-September. It will be done on an ongoing basis throughout the year. A message has been included in the bill announcing the new customer service number (800-684-4600).

Wack showed the series of commercials that have been developed to promote communication with the community. The first commercial will begin 30 days prior to construction. The second one is the announcement of new services that will be coming. After that there is a pre-launch commercial that airs just before the nodes are turned over. It will talk about the process of swapping out the converter boxes. The last spot goes 15 days before and 30 days after the turnover. There is a commercial being created that has to do with certification.

Fleischer stated that the spot that is missing is how to switch a television from HRC to Standard. Geroux stated that the initial three days after the node is activated is when MediaOne either receives a call on this topic or rolls the trucks to the home. Creating a spot would show a subscriber how to do the switch, but there are many different devices out there.

Monthly Subscriber Statistics

A question on the report was addressed by DiMaria.

Monthly Access Report

The Board is in receipt of a monthly access report for July and August. At the Board's inquiry, DiMaria will check on what TVOD stands for.

Hall commented that there is no local origination programming that is specific to our communities in both the July and August reports. He reminded MediaOne that LO requirements in this franchise require local origination programming that has to do with our community. The LO station on the new line up is Channel 25. Hall remarked that there is some very well done programming on this channel.

ADMINISTRATOR'S REPORT

Hagaman reported that the Board is within the budget allocated for In the Park productions.

MLAC9 REPORT

Colgan stated that the municipal/library access channel is now Channel 15. MLAC has done 9 hours of programming this month. The majority of the programming is the concerts in the park shows. As instructed at the last meeting, MLAC is running the MediaOne call center 800 phone number and the customer service e-mail address on Channel 15.

Hall stated that MLAC was off the air for a period of time last month due to the rebuild. It is now back on the air.

NEW BUSINESS

Hagaman stated that she has come down hard on MediaOne in the last couple of months for good reason. She mentioned that, when she talks to MediaOne representatives, they have been very responsive and have tried to rectify the situations immediately. Hagaman thanked MediaOne representatives, particularly Mike DiMaria. She wishes that the problems could have been resolved quicker so that they did not reach this stage.

The villages of Bingham Farms and Beverly Hills have referred Form 394 to the Cablecasting Board. Birmingham will be considering this action at its August 23 meeting and Franklin will take action in the near future. It is hoped that all of the consortium communities will have referred form 394 to the Board by next month so the Cablecasting Board can begin discussion of MediaOne's request to transfer the franchise to AT&T.

BOARD COMMENTS

Fleischer asked MediaOne representatives if they have received e-mail regarding subscriber problems. Morse stated that MediaOne has quite a few customers who utilize e-mail. Fleischer asked that she bring some of this information to the Board relative to the type of problem that is received via e-mail.

The meeting was adjourned at 9:58 a.m.