

CABLECASTING BOARD MEETING MINUTES - SEPTEMBER 15, 1999 - PAGE 1

Present: Abbott, Devereaux, Doctoroff, Fleischer, Hall, Kuhne and Spivak - Birmingham
Janks and Borgon - Beverly Hills
Leckie - Bingham Farms
DiSessa - Franklin

Absent: None

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

Chairperson Hall called the meeting to order at 7:53 a.m. in the Rotary Room of the Baldwin Public Library at 300 W. Merrill Street.

APPROVE MINUTES

MOTION by Doctoroff, supported by Leckie, that the minutes of a regular Cablecasting Board meeting held on August 18, 1999 be approved as submitted.

Motion passes unanimously.

REQUEST FOR TRANSFER OF FRANCHISE

Board members are in receipt of Form 394 which is the formal request of MediaOne to transfer the franchise to AT&T according to the merger agreement between MediaOne and AT&T that was announced publicly in May. The consortium communities have 120 days to respond to this request. If there is no action, it is deemed to be approved.

MOTION by Janks, supported by Borgon, that the Cablecasting Board refer Form 394, which is the formal request of MediaOne to transfer the franchise to AT&T, to its legal counsel for review and recommendation on how to proceed. This will be an agenda item for the October meeting.

In response to a Board comment, Gillis indicated that a request to transfer a franchise agreement that has not been formalized is not unusual.

Hall indicated that he received a copy of a letter dated August 12, 1999 from the City of Dearborn to MediaOne relative to their Form 394. Dearborn is taking the position that Form 394 is incomplete and the 120 period has not started. Hall understands that there are sections omitted from Form 394 because they contain confidential or proprietary information. It is Dearborn's position that some of that information may be relevant to the city and it is therefore an incomplete submission.

Gillis commented that he has dealt with these redactive documents before. There is a requirement pursuant to FCC Form 394 to furnish an exhibit that contains a copy of the acquisition agreement. Those agreements are very lengthy and complicated. Some companies send the municipalities two out of the 100 pages of the actual acquisition agreement. Everything else has been edited for publication. Gillis stated that companies do not want the considerations of the acquisition known. Meanwhile, the press is reporting it, and the FCC receives copies. Gillis mentioned that he has received a copy of the entire agreement every time he has requested it.

Motion passes unanimously.

FRANCHISE RENEWAL

Gillis reported on the franchise agreement issues that remain to be resolved. There are certain legal matters that will not be a major obstacle as well as issues having to do with requirements of the Birmingham School District as presented by Lisa Martinico. Gillis indicated that there has been difficulty obtaining a response from the cable company to requests regarding the Birmingham I-NET issue. A meeting is scheduled next week with the Board's technical representative, Dennis Fassett, DiMaria, and the cable company's technical person in an attempt to bring this matter to a conclusion.

Gillis informed the Board that an agreement has been adopted between MediaOne and Bloomfield Township. He suggested that it would be prudent to verify that Bloomfield Township is not receiving certain concessions from MediaOne that were denied to this consortium. Gillis expects to receive a copy of that adopted regulatory ordinance and franchise agreement including all the exhibits. He will make sure that the company has dealt with this Board in good faith in respect to certain matters.

Gillis hopes that documents are ready or almost complete by the next Board meeting so the communities can conclude this lengthy franchise renewal process. He recognized that the communities do have a rebuilt system with a new channel line up.

DiMaria announced that MediaOne launched its first two nodes of high speed Internet access in Bingham Farms. The company has started to turn over nodes to high speed data which will continue to the end of the year.

MEDIAONE RELATED TOPICS

Subscriber Complaints

Hagaman reported that complaints are decreasing at a rapid rate but are still coming in. Subscribers have been experiencing problems with getting through to the call center with the 855 number. They go through an automated selection and end up with a busy signal. DiMaria stated that he is in the process of following up on a possible problem with the switching mechanism.

Hagaman mentioned that people have complained about the length of messages to get through when they call for a repair. She also suggested to MediaOne that there be more than one attempt to reach

the customer to respond to a complaint. DiMaria says that their representatives typically follow up on complaints.

Hagaman stated that people have reported problems with the cable box receiving the music choice channel. DiMaria will talk to the technical people about whether there are node problems or problems with the actual service.

Kuhne observed that it seems that some of the ancillary applications that are supposed to come through the boxes are not happening yet. He related a problem he is having with the program guide not coming through. DiMaria stated that the problem is either in the field or in the box. He will check on this.

A letter dated September 8 was received from James Saylor of Birmingham relative to reprogramming his VCR with a new channel line up. He was told by a customer service representative that providing the codes for a VCR is not the responsibility of MediaOne. Hagaman questioned why a customer service person could not assist a subscriber with this information even if it is not their direct responsibility. DiMaria responded that the representatives do have the codes for VCR equipment. He will contact them about providing customers with this material.

Hagaman remarked that she has seen an improvement in how customer representatives are handling calls. This may be due to the number of calls subsiding and also a result of better training of customer service representatives.

Tim Currier, City of Birmingham Attorney, commented that he has alerted DiMaria of a complaint that was received by the Birmingham City Commission. It appears that MediaOne employees in the field doing rebuild work do not clean up very well after themselves. Currier dumped in front of DiMaria a bag of cable installation debris left on a city commissioner's lawn stating that Mr. Lanzetta wanted to make sure DiMaria received this.

Update on Rebuild

DiMaria reported that the first two nodes for high speed data have been released to MediaOne's marketing group to start offering services. He will present an update on the status of high speed data services next month.

There was a discussion regarding a letter from MediaOne sent to business customers stating that the mini basic cable service is no longer being offered. The minimum level of service available now is MediaOne's Total Basic service.

Board members commented on the major increase in commercial rates for cable television and for the music channel. There was clarification of commercial rates.

Buterbaugh stated that he has received complaints from people that they cannot receive Basic 3 without subscribing to Basic 2.

DiSessa entered the meeting at 8:20 a.m.

Annual Report

DiMaria will submit a written report addressing Board questions on the annual report for discussion at next month's meeting.

Monthly Subscriber Statistics

An error was found in the computation of the system statistics for August. The report will be corrected and redistributed next month.

Monthly Access Report

The Board reviewed the local origination programming for August. Questions were addressed by DiMaria.

UPDATE FROM PEG COMMITTEE

Janks stated that the PEG committee had an initial meeting and will be looking at different options for providing public, educational, and government programming. Hopefully, there will be more information on the final franchise agreement at the next meeting.

MEDIAONE UPDATE TOPICS

Direct Debit

Janks indicated that his first attempt at using the Direct Debit service was not successful. He talked to a MediaOne representative who was very helpful, and Janks will report next month on whether the service is operational. This item will be removed from the list of MediaOne topics at that time.

Y2K Readiness

MediaOne provided the Board with a comprehensive report on this topic a couple of months ago. This item was removed from the list of MediaOne topics.

ADMINISTRATOR'S REPORT

Hagaman reported that she leaves today for the NATOA Annual Conference in Atlanta. NATOA is a national organization for telecommunication officials and advisors. Speakers are brought to the annual conference to address all elements of cable including technical issues, regulation, and programming.

Hagaman reiterated that the complaints from subscribers have subsided but there are still frustrated customers. It is hoped that the complaint activity will be back to a normal level next month.

Hagaman has received documents from MediaOne for the franchise transfer. She informed MediaOne that the AT&T annual report is missing from the Bingham Farms document. It was noted that there is no 10K federal form from either company in any of the documents.

MLAC 15 REPORT

Colgan presented highlights of the September production report. He reported that MLAC is talking with June Taylor McGregor about the possibility of producing a "best of" *In The Park* concert series.

He asked for Board approval to pursue this project and run a series of one-hour programs from the concert footage that was shot this summer. It would require no funding from the Board.

MOTION by Spivak, supported by Janks, to authorize Bob Colgan to proceed with producing one hour programs using footage shot this summer at the *In The Park* concerts.

Motion passes unanimously.

NEW BUSINESS

Janks referred to a letter dated August 26 from MediaOne regarding changes to older programming packages. MediaOne will no longer be carrying the TV Guide Ultimate Cable Book because of the rising price of the guide. It was clarified that this is a monthly book and is not the scrolling screen with the channel line up.

DiMaria announced that MediaOne will again have a significant role in Birmingham's First Night on New Year's Eve. MediaOne will also be involved in the Birmingham Fine Arts exhibit in May. With the assistance of Birmingham Public Schools, MediaOne will bring the History Channel Millennium Bus to Seaholm High School in October. Everyone here will receive an invitation to this event.

PUBLIC COMMENTS

Borgon stated that it is nice to see that there are less complaints. There were complaints received about the telephone prompting system that MediaOne uses. Borgon remarked that this practice is not unique to MediaOne.

The meeting was adjourned at 8:44 a.m.