

Present: Decker, Jones, Mancini, McLain - Birmingham
Borgon, Pfeifer, Verdi-Hus, Woodard – Beverly Hills
Gallasch – Franklin
Ettenson – Bingham Farms

Absent: Frishman and Tarini – Birmingham

Also Present: Hanson - Executive Director
Currier - Attorney for Cable Board
Martinico - Director of Technology, Birmingham Schools
Beller - Comcast representative
Valentine - Birmingham staff liaison

Borgon called the meeting to order at 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES OF APRIL 19, 2006 CABLE BOARD MEETING

Motion by Woodard, second by Ettenson, that the minutes of a Birmingham Area Cable Board meeting held on April 19, 2006 be approved as submitted.

Motion passed.

COMMITTEE REPORTS

PEG Committee

Mancini reported that he and Tom Hanson met on May 1 with Lisa Antuna and Leslie Helwig from BCTV. He toured the Bloomfield Community Television facility. There was discussion on programming improvements, contract renewal, requests for proposal, and the bid process. They talked about options for identifying the programming preferences of the public.

At the last BACB meeting, it was suggested that contract negotiations would be a top priority for the PEG committee. Mancini has asked BCTV for a chronological accounting of expenditures by year since contract inception. The negotiation process was discussed. There was agreement that the public interest would be served by identifying what consortium residents most wanted. A study will be conducted between now and the end of June to identify those requirements. An attempt will be made to initiate research by means of a no-cost service newspaper insert. It was also decided to make the public aware of BACB responsibilities and authority.

On May 4, Mancini met with Lisa Martinico, Director of Technology at Birmingham Public Schools, for an orientation on the scope of the BPS technology. He toured the BPS media center and administrative building and Seaholm and Groves High Schools. Mancini was impressed with the equipment and level of expertise of the technical staff. They discussed the financial needs of the School District in terms of technology to continue high levels of achievement and expertise in view of reductions in state funding.

Mancini outlined the next steps of the PEG Committee:

- 1) Hanson will investigate and develop a research outline for dissemination to the BACB and, upon approval, forward it to the public.
- 2) The PEG Committee is to identify a meeting time for the PEG Committee moving forward. Board members are invited to meet with the PEG committee after today's meeting to discuss a preliminary draft of the research.
- 3) The PEG Committee is awaiting BCTV's response to the contractual questions and spending report.
- 4) The Committee plans to seek a motion at the next meeting for the research and information piece and the mode of dissemination to the public
- 5) The Committee plans to have the results by July 1, 2006.
- 6) The Committee plans to incorporate the results in a Request for Proposal for contract negotiations and bid proposal.

Cable Action Committee

Jones reported that McLain, Hanson, and he met last month to draft a letter to Comcast requesting a senior tier package. A reply from Comcast was received today stating that a copy of the letter was forwarded to Comcast's local marketing department for review and consideration. The Committee will be following up with Comcast on this proposal.

The Cable Action Committee received an update at its last meeting on legislative action taking place in Washington and Lansing. The Committee will meet again next Wednesday, May 24 at 5:30 p.m. at the Baldwin Public Library.

Ettenson commented on Comcast's response to the letter from the Committee requesting the development of a senior cable television tier. He hoped that the letter would be forwarded to Comcast nationally, because it is the type of request that could have national impact.

Beller clarified the process with regard to program related changes. A request of this nature sent to corporate headquarters will be forwarded to Comcast's local market for initial consideration and response. Although there are national programming commitments, there are different programming lineups market-by-market depending on the demographics of that market. Many factors go into how Comcast decides what type of marketing or programming packages are offered. Beller sent this information to their marketing person, and she has spoken with members of the area management team regarding the merit of this request. Programming changes go through corporate offices for approval. It will be determined at that time if something has appeal in other markets.

Pfeifer reported that she attended the Birmingham Area Seniors Coordinating Council (BASCC) Board meeting yesterday and mentioned the idea of a senior cable television tier to the group. Not all seniors are aware of the basic tier currently offered; that tier may be an alternative while Comcast is considering a senior program tier. Pfeifer related that the BASCC group is willing to assist with the exploration of what seniors would like included in a senior tier as opposed to attempting to reinstall a senior discount.

Borgon concurred that the BASCC organization could be used to receive senior feedback.

REVIEW FY 2006/2007 BUDGET DRAFT

Board members have received the proposed budgets for the Birmingham Area Cable Board and Cable Administrator for fiscal year 2006/2007.

The proposed 2006/07 budget anticipates revenues to be \$451,263 and expenses in the amount \$273,100. The budget includes funding grants for the City of Birmingham and Birmingham Public Schools. Hanson highlighted proposed revenue and expenditure line items for the next fiscal year and answered questions from Board members. Changes suggested by the Board in terms of increasing the line items for Executive Director's mileage and programming costs will be reflected in a revised draft.

Mancini disclosed that his son's father-in-law is the CEO of Multi-Bank Securities, and he would recuse himself from any discussion or vote dealing with Multi-Bank Securities. Hanson remarked that Mancini was appointed to the BACB after the Board retained the services of this fixed income securities broker-dealer.

Cable Board budget documents will be forwarded to each of the member municipalities for their information with a cover letter to the governing bodies.

Motion by Decker, second by Pfeifer, to approve the 2006/07 Birmingham Area Cable Board Budget and Cable Administrator Budget with the changes discussed at today's meeting and to forward the document to the member municipalities.

Motion passed unanimously.

COMCAST RELATED TOPICS

Subscriber Complaints

Hanson reported that there were 11 new complaints received in the last month and 12 carried over from previous months. There has been progress made in addressing and closing the complaints. Reception issues came to the fore this month. It was noted that there were a few addresses on Townsend Street in Birmingham that reported reception problems (Pixellating, black lines, frozen screen, dropped channel).

Beller responded that a team of Comcast engineers, technical operations and network people have been looking at areas where there are consistent intermittent issues and trying to come to a resolution. They are still in the process of identifying issues. She added that it is important that Comcast be informed when a subscriber has a problem so that it can be tracked.

Several specific complaints were mentioned by Board members and addressed by Beller. Mancini suggested that the call center make subscribers aware that many cable television problems are a result of an outside issue rather than a problem in the customer's home.

Beller explained that intermittent pixilation issues have increased because reception problems become more evident with digital signals than with an analog signal. Sometimes a problem is quickly identified as something wrong with the network feed to the home; at times it is classified as intermittent.

Hanson questioned whether Comcast would charge for installation when a subscriber converts to digital and re-wiring is required. Beller explained that Comcast works with customers on an individual basis in terms of rewiring.

Gallasch expressed the view Comcast advertisements stating that satellite dishes have reception problems and Comcast does not are misleading.

Woodard reinforced a complaint made by Elaine McLain with regard to being interrupted by a On Demand Pistons promotional computer recorded phone message that was loud, obnoxious, and unsolicited. Woodard encouraged anyone who feels the same way to contact Comcast and ask to be on the no-call list for Comcast products and services.

Pfeifer asked that the Comcast no-call number be publicized. McLain commented that there is a national no-call list. Beller stated that a no-call list applies to marketing offers when a product is offered at a fee. The On Demand promotion slipped through because it was meant to be an informative notification to advise people that there is additional free content available to the digital subscriber. Anything related to a new feature does not qualify for the no-call list. Beller indicated that Comcast is looking at its system to see if there is the ability to do another layer of no-call requests.

McLain remarked that the Cable Board has received multiple complaints about line drops. She reported that her line drop issue was resolved by Comcast without a problem. McLain advised others who have exposed cable lines on their property to call Comcast and ask that their cable lines be buried.

Ettenson mentioned two complaints in which a full month of credit was offered. There has been discussion in the past regarding whether a subscriber has to request a credit.

Beller responded that Comcast is not required to give credit for the entire month unless a customer's cable has been out for a month. Comcast works with customers on a case-by-case basis. If a customer had multiple visits that were unacceptable from a customer service perspective, Comcast would work with that customer. If a customer requests a credit, Comcast considers their situation. Ettenson suggested that subscribers ask for a credit in conjunction with a cable television problem.

Comcast Updates

Beller referred to the Comcast report dated May 17, 2006 and highlighted a few things that Comcast is doing in the Birmingham area from a community perspective.

Other Issues

Borgon reminded Beller that the Board asked to receive Comcast Call Center monthly statistics at its last meeting. Beller responded that the fact that they were not distributed today was an oversight, and she will mail the call center statistics to the Executive Director prior to next month's meeting.

EXECUTIVE DIRECTOR’S REPORT

Hanson brought the Board up to date with respect to telecommunications legislation in Michigan and Washington, D.C. He began by framing the issues for the benefit of those watching the meeting.

People are generally aware of the fact that telephone companies are interested in providing cable television in competition with Comcast. The phone companies want to do away with local video franchise agreements between local municipalities and video providers claiming that these franchises are an obstacle preventing them from entering the video service delivery business. The Cable Board argues that local video franchise agreements are the mechanism by which municipalities insure that cable and telecommunication companies doing business in the communities are accountable to the local public interest.

There is legislation proposed that will potentially eliminate local control of the franchise process as well as franchise and PEG fees. Local control of public rights-of-way are at stake as well as local consumer protection. Establishing a national or state video franchise will allow new companies to come in under no obligation to serve everybody in every community. Hanson mentioned that net neutrality is a hot issue in terms of free Internet access. In the future, there may be gate keeping on behalf of cable providers.

Hanson presented an update on federal and state telecommunications legislation. He and Currier discussed the “We’re Open For Business” campaign initiated by the Michigan Municipal League, whereby the company would be willing to negotiate with municipalities on what may be either a local franchise agreement or a permitting process, which would be less beneficial to communities. There was agreement that competition in our area for the latest and greatest digital products is best for everyone.

Beller remarked that Comcast is fine with competing on a level playing field if AT&T is looking to seek a franchise agreement. In some communities, AT&T has been attempting to negotiate more of an understanding between the parties rather than a franchise agreement. Anything outside of a binding franchise agreement should be looked at carefully.

Currier provided an historical perspective by relating background information relative to requirements for seeking a utility franchise in Michigan from local units of government to use local rights-of-way and that fact that the Telecommunications Act declared that telephone was no longer a utility. Currier asserted that cities have a fiduciary obligation to protect local rights-of-way. They are entitled to a fair market rental to use rights-of-way and not just give them up for free.

Hanson commented on the recent groundswell of support for protecting local interests in terms of AARP, Communication Workers of America and a Native American tribe as well as the continued support received from the Michigan Municipal League, PROTEC, and NATOA.

MLTV15/ PA18 REPORT

Board members are in receipt of the monthly report from Bloomfield Community Television. Borgon commented on upcoming programming as well as the Memorial Day events that will be covered in Beverly Hills and Birmingham.

Borgon observed that BCTV aired a public service announcement on free document shredding provided by Southfield Township for its residents on Saturday, May 20. He would like to see BCTV do more of these public service announcements.

Borgon believes that Saturday and Sunday programming is important to the communities, particularly for repeating municipal meetings. He would like to see current municipal meetings aired on the weekends to give residents who are busy during the week an opportunity to view them. He asked that the PEG committee get involved with promoting more local programming on the weekends.

OLD BUSINESS

None

NEW BUSINESS

None

BOARD COMMENTS

Pfeifer stated that she announced a vacancy on the Cable Board at last night's Beverly Hills Council meeting. She plans to contact BCTV about placing a message on the municipal bulletin board announcing vacancies on the Cable Board and the Beverly Hills Zoning Board of Appeals.

The meeting was adjourned at 9:15 a.m.