

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

Absent: Borgon - Beverly Hills
Decker - Birmingham

Also Present: Hanson - Executive Director
Salhaney - Attorney for Cable Board
Florance - Bloomfield Community Television representative
Beller - Comcast representative
Valentine – Birmingham staff liaison

Vice-Chair Ettenson 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 MEETING MINUTES OF CABLE BOARD MEETING HELD JULY 19, 2006

On page 1, second paragraph under “Election of Officers”, add the following after the first sentence: “Borgon accepted the nomination”.

Motion by Pfeifer, second by Woodard, that the minutes of a Birmingham Area Cable Board meeting held on July 19, 2006 be approved as amended.

Motion passed.

COMMITTEE REPORTS

PEG Committee

Mancini reported that the PEG Committee met following the July 19 Cable Board meeting. The members and others in attendance discussed the Board approved survey, BCTV upgraded electronic bulletins, and other issues deemed important for the committee to resolve. With respect to the survey, the general consensus of the committee was that mail is the preferred method of questionnaire distribution unless Executive Director Hanson, in negotiations with the vendor, can identify a compelling reason not to pursue that direction. The committee also recommended that the questionnaire ask respondents to identify whether or not they were Comcast subscribers. This information would be used to break out data in three ways – Comcast subscribers, non-Comcast subscribers, and total respondents. It was suggested that Hanson specify to the vendor that the BACB owns the data. Another recommendation was that the survey include a web survey link.

With respect to the BCTV bulletin upgrade, Borgon suggested that there may be an interim implementation available to better identify program times and improve viewership in lieu of investing in new equipment at this time. The PEG Committee concurred.

The committee thanked Steve Rota from BCTV for showing ingenuity in developing an improved electronic bulletin board, in effect since the later half of July. A major improvement is

that specific times are shown by day of the week and these days and times are categorized by specific meeting.

Pfeifer indicated that the filing deadline for Beverly Hills Council member positions is approaching. She requested that BCTV implement a public service announcement to notify residents.

Mancini mentioned that the Eccentric newspaper recently reported that the City of Birmingham is initiating a resident telephone survey targeted for mid-August, which is expected to cost \$40,000. Because that survey overlaps the BACB survey, the PEG Committee proposed the following strategy. Birmingham's phone survey lends further credence to the BACB's preference for a mail survey. However, the Board must insure a reliable sample size. Intellitrends has indicated that this number is 382. Placing the survey in the field in September will limit competition with the City of Birmingham survey in August and will hopefully increase response rates of people on vacation. Executive Director Hanson has prepared a public relations release to the Birmingham Eccentric and the Eagle. He is also exploring the possibility of interviews with area newspapers and will advertise the survey to residents through BCTV electronic bulletins.

Mancini reported that he has been in contact with Hanson several times regarding his meetings with Intellitrends representatives and has met personally with the Intellitrends partners to finalize major details. Mancini described the procedure for the mail/phone/web/hybrid methodology. It will insure that the survey will achieve statistical reliability at the 95% confidence level with a sample size of 382 responses. He noted that there will be additional costs incurred if the mail response exceeds 1,000; further, there is a charge if the mail survey does not achieve 382 responses and the required phone survey to make up the shortfall exceeds 200 respondents. Hanson will elaborate on these costs in his report to the Board.

Cable Action Committee

Elaine McLain presented a brief Cable Action Committee report, noting that the committee communicated by email during the last month. She announced that there are openings on the BACB for three Birmingham representatives. McLain welcomed new member from Beverly Hills, Alan Heyman.

McLain will be following up on efforts to locate winter storage for the production van. She spoke with Joe Valentine and learned that there is no space available in Birmingham that would be appropriate for housing the van at this time. McLain will be attending the NATOA conference in Florida next week along with Bob Borgon and Tom Hanson.

McLain noted that some subscribers have been experiencing a black screen on Channel 15 on the digital tier. This issue was coordinated between BCTV and Comcast, and the problem has been documented.

APPROVE FY 2005/2006 ANNUAL REPORT

Board members are in receipt of copies of the Birmingham Area Cable Board Annual Report for Fiscal Year 2005/06. Executive Director Hanson related that the report will be revised to

incorporate the fact that the Board sent a delegation to the NATOA Conference in Washington, D.C. in 2005, and those individuals met with elected officials.

The Cable Board handled 140 complaints from July 1, 2005 through June 30, 2006, an increase of seven from the previous year. The nature of the complaints ranged from rate increases and requests for competition, service problems, picture quality especially “pixilating”, billing disputes, missed appointments and programming changes related to moving channels from analog to digital. Seniors remain concerned that Comcast does not provide any discounts for them in our area.

Hanson commented that a highlight of the Cable Action Committee during the last year was its efforts to keep the pressure on state and national legislators with respect to Telecommunication Legislation. Achievements of the PEG Committee during the year included creating a distinct identity for the Birmingham Area Public Access Channel 18 with its own logo and its own bulletin board pages. Another highlight was to expand the Channel 15 playback schedule to include overnight programming.

The report acknowledged that the Board, at the recommendation of its Treasurer John Decker, authorized the diversification of investment opportunities in order to obtain higher interest rates by having its investment account managed by an outside firm. A suggestion was made that the financial section of the annual report reflect the total amount of the Cable Board Fund Balance.

Motion by Pfeifer, second by Mancini, to approve the Birmingham Area Cable Board Annual Report for FY 2005-2006 subject to the inclusion of the following: 1) acknowledge that the Board sent a delegation to the NATOA Conference in Washington, D. C. and that those individuals met with elected officials; and 2) include the total fund balance amount in the financial report.

Motion passed unanimously.

Copies of the revised Annual Report will be distributed to the municipal clerks of each consortium community.

COMCAST RELATED TOPICS

Subscriber Complaints

Hanson referred to the updated subscriber complaint report distributed at today’s meeting and noted the high number of complaints that have been resolved and closed. Louise Beller representing Comcast reported that there were two additional resolved complaints. She commented favorably on the process being followed by the Executive Director and Comcast’s customer service team. Hanson and Beller provided details on specific complaint resolutions questioned by Board members.

McLain stated that subscribers have mentioned that they get stuck in the phone prompt system and cannot get through to Comcast. She is assuming that Comcast is looking into this so people do not remain on hold.

Beller responded that the phone system is always being evaluated. Comcast has been making adjustments in the last weeks to accommodate longer than expected wait times during periods of high phone volumes. The company has implemented new features to alleviate call volume issues.

Ettenson remarked that not all of the subscribers are completely pleased. He clarified that the terminology 'closed' does not always mean that the subscriber is happy with the resolution. There are cases when matters remain that need investigation, and he provided an example of this. Hanson agreed with Ettenson's assessment and gave another example of a subscriber who experienced the same problem shortly after his case was closed.

Comcast Updates

Beller announced a new partnership that Comcast recently established with Birmingham Bloomfield Families in Action. This is a local adjunct to the company's national partnership with Drug Free America. Comcast will be supporting a year-long program, including an outreach and educational programs for Birmingham-Bloomfield parents and kids.

Other Items

Ettenson observed a Comcast advertisement saying that the company is offering to buy back satellite dishes. Beller responded that Comcast has been conducting a dish buy-back program for several years whereby the company will buy back the dish contract from those satellite customers who would like to try Comcast services. She added that Comcast does not require a monthly service agreement as is required with a monthly satellite service.

Pfeifer reported that she and others have noticed a variation in volume from channel to channel. She questioned why this occurs.

Beller responded that Comcast receives thousands of hours of programming that it distributes to customers. She described the equipment at the network operating center that monitors audio levels as programs come in. Comcast does not have control over audio levels provided to them, although there might be some tweaking that can be done on a specific channel. Comcast can contact a programmer to make sure that they both have proper adjustments made. Another common problem that Comcast cannot control is a change in volume when switching to commercials. Comcast continually monitors and attempts to control volume issues as instances occur and works with the source provider to make sure that adjustments are made appropriately.

Several Board members mentioned that Channels 15 and 18 are experiencing low sound quality. Zack Florance from BCTV responded that he will look into this problem and make any needed adjustments. Other members reported recurring audio problems on channel 50, 51 and 53. Ettenson asked BCTV staff to report on the resolution of problems with low sound on Channels 15 and 18 next month and that the Cable Action Committee follow up on Comcast's portion of the audio problems reported.

In response to an inquiry from Heyman regarding a customer complaint, Ettenson stated that the individual referred to an Eccentric newspaper article that advised subscribers that they need to ask for a credit in connection with a cable television problem. A credit is not issued

automatically by Comcast. This was the topic of a press release drafted by the Board and published in the Eccentric newspaper.

There were no questions on the cable subscriber system statistics for June and July.

EXECUTIVE DIRECTOR'S REPORT

Hanson asked Zack Florance to follow up on low audio reported for some municipal meeting broadcasts. Florance reminded all council and commission members to speak directly into the microphone. He will look into whether there are any issues that can be corrected by Bloomfield Community Television and will work with Comcast technicians on this problem.

Hanson received clarification from Beller on the location of ESPN after the channel was moved due to temporary problems with signal quality. Beller will provide the Board with a new channel line up card.

Hanson reported that Plante & Moran is in the process of conducting a Cable Board audit for fiscal year 2005/06 and will present its report to the Board at the October meeting.

Legislatively, there is not a lot of new information to report this month. The Stevens Senate Bill has moved out of committee and is now waiting for 60 votes that will move it to a state of cloture, or non-debate, on the bill. Hanson will have more information on the Telecommunication bills following the NATOA conference in August.

Hanson referred to a one-page summary of survey issues provided to the Board by Intellitrends. The company indicated in this communication that its recommended methodology to ensure both a statistically reliable response rate and representation of the BACB constituency operating area would be to conduct telephone interviews. Recognizing the preference of the Board and a competing phone survey in the area with similar timing, Intellitrends proposed a hybrid mail/phone/web methodology at a cost of \$17,000.

Hanson remarked that there were numerous conversations on this topic. He thanked Mancini for his efforts to achieve a resolution that will insure the targeted results at the budgeted amount. The Board should know whether the target number will be reached within the first two weeks of September. The survey will go out in the mail on September 5 and should be postmarked no later than September 29 in order to be tabulated. Hanson qualified that, if the mail survey does not produce the targeted sample rate, it is proposed to commence a telephone survey to make up the shortfall. The telephone survey will require an additional flat fee of \$1,000 if more than 200 random phone calls are required to meet the 382 targeted response rate.

Mancini added that, if the response rate from the mailing exceeds 1000 returns, Intellitrends will charge an additional fee. The company estimates a 3% response on 6,000 mailings, which would be 380 responses. A motion of the Board would be required to authorize these added expenditures.

Hanson related that the PEG Committee proposed that the Board authorize the expenditure of \$100 for an incentive to residents to complete and return the survey, which would be a \$100 gift

certificate to Borders book store. The winner of the certificate would be selected at a live drawing at the September Board meeting.

Board members discussed whether to offer a \$100 incentive to encourage people to answer the survey and to select the winner at a live drawing. People would be asked on the survey to provide their name if they would like to be registered to win the gift certificate.

After discussion by members and input from Attorney Salhaney on proper procedure relative to expenditure of Board funds, Ettenson proposed that the Board postpone the request for contingency funding for the survey until next month for the reason that it is not a published agenda item.

It was suggested that the survey be placed in the field in early September as scheduled. The Board authorized the expenditure of up to \$17,000 for the viewer survey at its July meeting. Consideration will be given to any additional expenditures required at the September meeting. The survey data is not scheduled to be processed until October.

Pfeifer suggested that there are other ways to promote the survey without offering a \$100 incentive. She made an announcement at a Beverly Hills Council meeting that the survey was forthcoming and encouraged residents to watch for it. Public relations announcements can be broadcast on the Channel 15 billboard. The Eccentric and other local newspapers can be approached for publicity. Pfeifer expressed the view that people are more likely to respond anonymously to a survey. Other members agreed with this viewpoint.

It was the consensus of the Board not to offer the \$100 incentive and to postpone the request for contingency funds for the survey until next month's meeting.

Gallasch suggested that the Board send letters to the municipal clerks asking their councils or commissions to remind residents of the survey.

MLTV15/ PA18 REPORT

Zack Florance reported that Bloomfield Community Television has taped five regular meetings plus one special Beverly Hills meeting and the BACB meeting within the last month, three concerts in the park for Birmingham, two concerts in the park in Beverly Hills, and three *Summer in the City* shows. BCTV taped two League of Women Voters panels in connection with last week's primary election. BCTV has taped 14 shows for PA 18. Two were from BACB producers, including *Talk of the Town* and *Senior Woman's Club* at the Community House.

Florance remarked that BCTV would like to congratulate Steve Rota on winning a 2005 Emmy for directing *Interfaith Odyssey*. The position of Operations Manager has been posted and interviews will be conducted shortly. The three DVD players and required components arrived and were installed. They are fully integrated with M15's existing playback operations and will give BCTV better control of the playback of all M15 meetings.

Florance thanked Comcast for assisting BCTV with the quality issues it is having with all three of its channels. Because BCTV airs so many programs using different signal sources from live to

bulletin board and from tape to DVD, it was determined that we needed a more sensitive encoder on the Comcast side, and they were quick to help with that.

Florance stated that BCTV will follow up with announcements of the PEG access programming surveys on its bulletin board. He will look into the low volume issue on Channel 15 and occasionally on Channel 18.

Ettenson congratulated Steve Rota on behalf of the Cable Board for his accomplishment in winning an Emmy award.

OLD BUSINESS

Woodard referred to a communication dated July 25, 2006 from Attorney Michael Salhaney regarding policy on taping municipal meetings. The last paragraph stated that “the contract is clear that a municipality must request that the “other meeting” be taped, and that only five such requests per month are covered by the contract”. Woodard asked if the five requests per month refers to each community or consortium wide. She questioned if there is a fee for the five extra meetings. Mancini commented that he believes that these are items that Chair asked the PEG committee to investigate as part of the new contract negotiations for cable television programming service for PEG channels.

Salhaney reviewed the contract language, which was language taken from the Request for Proposals for Cable Access Management. The issue of programming requirements in terms of the language “other municipal meetings as requested up to five per month” should be clarified in the new contract.

NEW BUSINESS

None

BOARD COMMENTS

McLain inquired whether there has been follow up to the problems related at last month’s meeting by Bingham Farms resident Colleen Bayoff. The subscriber was disappointed with the service she has been receiving from Comcast. Beller indicated that she is following up with this subscriber.

PUBLIC COMMENTS

Dave Frink of 691 Frank Street in Birmingham thanked the Board for its efforts. He was present because of his frustration with Comcast. Frink stated that he did not like being in a situation where there are no choices maintaining that monopoly environments do not offer the best service or pricing.

Frink has been experiencing problems with his Comcast digital television service since April. There have been multiple visits to his home to attempt to fix the problems, which are not completely resolved at this time. He is getting attention now as a result of making contact with the Cable Board. Frink outlined his issues with Comcast: the automated answering service is frustrating and time consuming; he has asked to speak with a supervisor several times, and they are never available; the supervisors do not return calls. He asked in June that his problems

related to extreme pixilation be escalated and was referred to a first escalation team member. It was a good step but it took one to two days to make contact with that person. His problem was finally resolved in early July for two or three days; the problem was lessened but is still there. He received a \$40 credit for his trouble. Frink stated that he would like choices and competition and, in the meantime, he would like better service.

Ettenson thanked Mr. Frink for his comments and assured him that he will receive a response from Comcast and that the Cable Action Committee will follow up on his complaint to see if it has a wider impact. He informed the subscriber that this Board does not have jurisdiction over high speed Internet or telephone service.

Hanson asked Beller if she would follow up on this complaint and look into whether it is related to reception and pixilation issues that have been experienced in the Townsend Street area.

The meeting was adjourned at 9:05 a.m.