

MINUTES OF MEETING
CABLE FRANCHISE REVIEW COMMITTEE
THURSDAY, January 13, 2005
CITY MANAGER'S OFFICE
6:00 P.M.

Committee members present: Brian Miller, Mike Joyal, Bob Paolini, Julie Glover, Doug DeDe, Audra Lurvey, Dana Lariviere and EJ Bleiler. Absent: Jean O'Shea

Chairman Lariviere opened the discussion stating that the hearings are coming up fairly quickly. He stated that he has received feedback from the calls he has made and basically there are 2 camps; yes we will be there and are very interested in participating in the process, and the other side wants to know what this is all about, is it just about cable, or does it include internet access. He feels there is a lot of interest in the internet aspect. His answer was that it is predominantly around the cable television franchise, but the committee wants to gather information on all aspects to represent the interests of all user groups. For his specific group for 02/03/05, he has 6 committed attendees out of the 12 calls.

Joyal stated that there will be city officials in attendance for the Public Safety hearing.

Miller stated he has received a lot of positive response as far as call back to him for the government issues hearing scheduled for next week. He called Boards and Commission members of the city as well as Strafford County officials. Boards and Commissions members weren't particularly interested, but Strafford County officials were very interested and Ray Bower has committed to be there to speak on the needs of Strafford County and on behalf of the Sheriffs Office and the county jail in regards to video arraignments of the prisoners. He also talked to the Dept. of Corrections, Richard Alan, who indicated he is interested but wants more information.

Bob Paolini stated he had to leave a lot of messages at the churches and didn't have any returned calls. The people who did pick up said they sent back the questionnaires but were mostly concerned with costs. He did not get anyone to commit to coming to the Civic hearing.

DeDe hasn't made any calls yet.

Bleiler didn't know he was supposed to call, he didn't have a list.

Joyal stated the list was e-mailed but he will give him the list for Health and Social Services which is scheduled for 01/27/05.

Lariviere stated that he told people who were not available on the date of their specific hearing that there would be general hearings later in the process but also asked that they send a representative in their place on the specific night if possible.

He asked what happens if no one shows up at the hearings? Joyal stated that if that happens they should take 5 minutes to review the issue and mention any written communications that have been received and then close the public hearing.

DeDe asked if there will be any public service notices in the paper or WTSN.

Joyal stated he has been trying to get this information published, and may end up having to advertise it. Other avenues for public notice will be pursued as well.

Lariviere related some information regarding Comcast making a donation to St. Mary Academy technology upgrade and feels that it would be a good question to ask groups if they are currently receiving such services from Comcast.

MINUTES OF MEETING
CABLE FRANCHISE REVIEW COMMITTEE

THURSDAY, January 13, 2005

Paolini stated he feels that the customer service has improved over the last few months and wonders if there is connection to the contract coming up for renewal. Larviviere stated that the calls are processed through a central call center and is not local.

Larviviere asked if everyone was able to make the scheduled hearings beginning 01/20/05 through 02/17/05.

Mr. Bleiler and Ms. Glover will not be available on 02/17/05.
Joyal stated that the hearings can be held without a quorum.

Audra Lurvey stated that Dr. O'Connor will be attending the hearing on 02/03/05 to present School issues.

Larviviere then reviewed the format of the hearings.
Joyal stated that he will be notifying Comcast of the hearings and they will most likely have someone there to record the sessions.
Larviviere asked if we are required to notify them if the hearings are publicly posted.
Joyal stated it is a courtesy and will cover our bases. So far we have not received any communications from Comcast.

Bleiler asked what is the expiration date of the license and what happens if they haven't answered any of our communications.

Larviviere stated the last date of the contract is 04/06/2006 and if we decide not to renew the franchise they would litigate. But if they were unresponsive and we were able to show that, then the finders of fact would find in the favor of the city, but he doesn't feel that they won't respond.

Joyal reviewed the various communications that he has sent out and has not received any response and everything has been documented.
Larviviere asked if there are any other communities we can talk to regarding the process such as Durham and Lee that are going through the same thing.
Glover stated that Portsmouth has recently finalized their agreement
Joyal stated that the gentleman in Portsmouth, Gene Chandler, has indicated that he didn't want to meet with us until they had finalized, but we should be able to invite him now. Bleiler would like a copy of what they have finalized.

Larviviere then discussed the written responses he has received stating that he would like to have them entered into the record at the specific public hearings. He then asked Joyal about the responses to the on-line survey.
Joyal stated that we've received approximately 180 responses but feels that with more publicity we can get more responses.
DeDe stated at this time of year the availability of air time for public service announcements on the radio is pretty good.

Larviviere asked that the membership be prepared with some questions to ask each group at the hearings.

Joyal stated that down the road after the hearings, they will compile the information for an RFP for Comcast and then the Board will shift their focus to the franchise agreement and compliance issues which should take us through May or June and then provide the RFP to Comcast and allow for a response which should take us to fall.

Larviviere asked if we only give it to Comcast.

Joyal stated yes, but then the Board makes a decision as to whether their response is responsive and appropriate to what we have asked them to do. We have to walk a fine

MINUTES OF MEETING
CABLE FRANCHISE REVIEW COMMITTEE

THURSDAY, January 13, 2005

line as to what we can require them to do and what we can hold them accountable for and if they don't, we can reject their renewal. If it gets to that point we will have strategy discussions.

Lariviere asked if we are issuing an RFP as a public entity and there is another cable company interested in the proposal, doesn't Comcast have an unfair advantage in being the only company getting this RFP.

Joyal stated that if a new company comes in tomorrow, we still wouldn't have any more teeth than we do with Comcast.

Discussion ensued regarding potential competition options.

Respectfully submitted,

Valerie A. French,
Transcribing Secretary