



City of Cambridge

59.

IN CITY COUNCIL

February 23, 1998

MAYOR DUEHAY
COUNCILLOR REEVES
COUNCILLOR BORN
COUNCILLOR DAVIS
VICE MAYOR GALLUCCIO
COUNCILLOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TRIANTAFILLOU

WHEREAS: Municipal authority to regulate the placement of telecommunications towers within cities and towns has been expropriated; and

WHEREAS: The Department of Telecommunications and Energy (DTE, formerly the DPU) ruled in favor of telecommunication companies by deeming Commercial Mobile Radio Service providers (CMRS) as Public Service Corporations within the context of M.G.L. Ch. 40A, Sec. 3; and

WHEREAS: CMRS providers can now apply to the DTE for exemption from city and town zoning by-laws and ordinances to site a telecommunications tower, thereby creating CMRS providers with three venues to appeal local decisions: the federal courts, the Massachusetts Superior Court and the DTE; now therefore be it

ORDERED: That the Cambridge legislative delegation is requested to support legislation which would restore authority to cities and towns to determine appropriate areas for siting telecommunications towers through local zoning and by-laws, and which would completely eliminate DTE from the process.

In City Council February 23, 1998.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
D. Margaret Drury
City Clerk



Born Orders for Feb. 23, 97

Whereas: Customers of Media One who choose to discontinue or downgrade their service are being required to return their cable boxes to the Media One Office on Sherman Street, and

Whereas: When these customers initiated their service or when they upgraded it during the recent marketing drive, cable boxes were delivered to them by servicemen, and

Whereas: Customers who waited as little as two weeks to return their cable boxes received bills from Media One for over \$500, certainly not a part of any initial contract they made when establishing or upgrading their service, therefore be it

Ordered: That the City Manager be and hereby is requested to present this issue to the State Attorney General's Office to request an opinion of whether a demand to return equipment or be liable for a \$500 charge is legal in this state and whether it violates any customer protection laws, and be it further

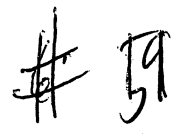
Ordered: That the City Manager be and hereby requested to ask Media One to cease this intimidating practice which has adverse effects on elderly and handicapped customers who may not have the resources to deliver equipment personally to the offices of Media One, and to report to the City Council how this communication has been effected and with what result.

(Title for this order: Whether it is legal for Media One to require customers to take cable boxes to their Sherman Street office upon discontinuance or downgrade of service.)

add
none

~~#2 Congrats to CRLS Hockey team under leadership of Bobby Goodwin for making
tournament~~

#3 Co sponsor Duehay order about cellular tower siting



#4

Ordered: That the City Manager be and hereby is requested to contact the appropriate departments in the New York City government to gather information about their "Quality of Life" hot line established to deal with citizen complaints and to gather information about noise, litter, and other problems, and be it further



Ordered: That the City Manager report back to the City Council about this program.



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Consent ORder #59

1208
73
Mayor Duehay, Councillors Reeves and
Born re: Support legislation to
restore local zoning regulation of
telecommunications companies.

In City Council February 23, 1998

ORDER ADOPTED