



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

February 7, 1985

Representative William Galvin, Chairman
Committee on Government Regulations
The State House
Boston, Massachusetts 02133

Dear Representative Galvin:

Pursuant to the request of the Cambridge City Council, I am forwarding to you a copy of the enclosed resolution as adopted by the Council at its meeting of Monday, February 4, 1985. Said resolution expressing the Council's support of the Municipal Cable Television Franchise Fee Act, the Omnibus Cable Television Consumer Protection Act and the Tenants Cable Communication Act.

Your very kind attention in this matter will be greatly appreciated by the City Council.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/mh

Enclosure: City Council Order #2 of 2/4/85

cc: Senators Michael LoPresti and George Bachrach
Representatives Sandra Graham, Charles Flaherty
and Peter Vellucci



City of Cambridge

2.

COUNCILLOR D. SULLIVAN
COUNCILLOR CLINTON

IN CITY COUNCIL
February 4, 1985

- WHEREAS: Cable television has been making inroads into the everyday lives of citizens, businesses, hospitals and schools; and
- WHEREAS: The United States Cable Communications Policy Act of 1984 allows municipalities to collect a license fee of up to 5% of the annual system gross revenues; and
- WHEREAS: The Commonwealth of Massachusetts allows its cities to collect no more than fifty cents for each subscriber per year as an annual license fee; and
- WHEREAS: A recent report of the Massachusetts Senate Committee on Post Audit and Oversight, "Cable Television in Massachusetts: 1984" found this fee structure to be the lowest in the nation; and
- WHEREAS: There is no state law which currently gives the state or the cities regulatory tools to fully protect our citizens from improper industry practices; and
- WHEREAS: All of our citizens should enjoy access and the benefits of cable television; therefore, be it
- RESOLVED: That the Cambridge City Council fully supports the Municipal Cable Television Franchise Fee Act which amends M.G.L. Chapter 166A to allow cities and towns to access the full fee structure as set by the New Federal Law of 5% of annual system gross revenues; and be it further
- RESOLVED: That the Cambridge City Council fully supports The Omnibus Cable Television Consumer Protection Act which amends M.G.L. 166A by increasing the powers of the State Cable Commission to set regulatory standards for: fair marketing practices, resolution of billing complaints, service rebates, signal quality, late billing interest policies, and hardware deposit policies; and be it further
- RESOLVED: That the Cambridge City Council fully supports The Tenants Cable Communication Act which amends the M.G.L. Chapter 166A to strengthen the rights of rental housing tenants in the Commonwealth to receive cable television services; and be it further

RESOLVED:

That a copy of this resolution be forwarded to all members of the Cambridge delegation to General Court of the Commonwealth and also to Representative William Galvin, House Chairman of the Government Regulations Committee.

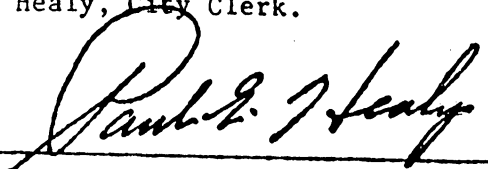
In City Council February 4, 1985.

Adopted by the affirmative vote of 9 members.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk.

The Honorable Michael LoPresti
State Senator
The State House
Room 213A
Boston, MA 02133

The Honorable George Bachrach
State Senator
The State House
Room 518
Boston, MA 02133

The Honorable Charles Flaherty
State Representative
The State House
Boston, MA 02133

The Honorable Saundra Graham
State Representative
The State House
Room 38
Boston, MA 02133

The Honorable Peter Vellucci
State Representative
The State House
Room 540
Boston, MA 02133

Representative William Galvin, Chairman
Committee on Government Regulations
The State House
Boston, MA 02133



CITY OF CAMBRIDGE

449 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02138 . TEL. 498 9030

CAMBRIDGE PUBLIC LIBRARY
OFFICE OF CABLE TELEVISION

December 3, 1984

Representative Charles Flaherty
State House - Room 171
Boston, MA 02133

Dear Representative Flaherty:

The Massachusetts Chapter of the National Association of Telecommunications Officers and Advisors (Mass NATOA) is sponsoring three (3) pieces of cable television legislation in the 1985 session of the Massachusetts General Court.

As you are well aware, those of us in Boston, Cambridge, and Somerville who are concerned with cable matters realize the growing need to advance the legitimate interests of the eight hundred and fifty thousand (850,000) cable television subscribers in the Commonwealth.

NATOA's proposed three bills seek to amend portions of the Massachusetts General Laws (Chap. 166A) relating to cable television in light of the recent passage of federal cable legislation, The Cable Communications Policy Act of 1984. In specific, we have drafted bills in the following areas:

1. An Act Designating the Community Antenna Television Systems as the Cable Television Systems and Regulating Rates

Short Title: The Municipal Cable Television Franchise Fee Act

This bill is a 1985 re-file of S. 463/H. 5838 which amends Chap. 166A to allow towns and cities to assess the full fee-structure as set by federal law, against cable operators in the Commonwealth. Such federal maximum for franchise and access fees is now set at five percent (5%) of annual system gross revenues. Such fees may be used by cities and towns to regulate cable operations, resolve customer complaints, and provide for ongoing support of public, educational, and governmental access programming.

Currently, under Massachusetts law, most cities and towns in the Commonwealth may collect only fifty cents (\$.50) per subscriber per year for the support of municipal regulatory efforts. A recent report of the Massachusetts Senate Committee On Post Audit And Oversight, "Cable Television in Massachusetts: 1984," found this fee structure to be the lowest in the nation.

The NATOA franchise fee bill being introduced in the 1985 session proposes four and one half percent (4.5%) of annual operator gross revenues be assessed by municipalities against licensed systems, and that one half

ATTN: JOE O'BRIEN

of one percent (.5%) be assessed by the Massachusetts Community Antenna Television Commission against such operators. It is our feeling that the 4.5%/.5% split will support the efforts of the state Commission to aid cities and towns in statewide regulatory affairs, and provide fully allowable funding for local access and regulation.

The NATOA legislation in this area will be introduced by Senator Carol Amick (D-Bedford) on petition from the Mass NATOA, and the Massachusetts Municipal Association.

2. An Act Regulating Cable Television Systems and Establishing Consumer Protection Standards Therefore

Short Title: The Omnibus Cable Television Consumer Protection Act

This NATOA bill seeks to address the major consumer protection problem areas arising from the rapid growth of cable subscribership in Massachusetts. The bill seeks to amend applicable sections of Chap. 166A by increasing the powers of the State Cable Commission to set regulatory standards for: fair marketing practices, resolution of billing complaints, hardware deposit policies, service rebates, signal quality, late billing interest policies, and an outlining of the common industry practice of pre-billing for service.

In many of these areas, mayors, boards of selectmen, and cable regulators are witnessing the fact that state law does not currently give us the regulatory tools to fully protect our constituents from improper industry practices. Recent events in the City of Boston demonstrate that all cities and towns must have their regulatory rights strengthened in the face of an industry which has not maintained adequate customer service as a top business priority.

The NATOA legislation in this area will be introduced by Senator Carol Amick on petition from the Mass NATOA.

3. An Act Providing for the Rights of Tenants to Receive Cable Communications Services

Short Title: The Tenants Cable Communications Act

This NATOA bill seeks to amend Section 22 of Chap. 166A to strengthen the rights of rental housing tenants in the Commonwealth to receive cable television services. As you know, many Massachusetts municipalities and cable operators are finding the large groupings of apartment dwellers do not have access to cable television because landlords and property management firms are refusing to allow their buildings to be "wired" by licensed cable firms.

In Boston, Brookline, and Somerville there are currently in excess of fifty thousand (50,000) occupied dwelling units from which cable companies have been excluded by landlords. It is our belief that landlords refusing access

are attempting to seek commissions and/or other bulk payment schemes from operators at the expense of their tenants. If this trend continues, we will see the creation of two classes of individuals: home owners and apartment dwellers with full unrestricted access to the alternative communications services delivered by cable, and large apartment unit tenants whose rights to receive such services are effectively blocked by profiteering landlords.

The NATOA bill in this area has been drafted by the counsel of New England Cable Television Association, the industry trade association. In this particular area, the interests of cable consumers, municipalities, and the industry run on a parallel course.

Representative Flaherty your support is wanted and needed on these vital bills.

I can be reached at my Office at the Cambridge Public Library (498-9080). We must move quickly to secure sponsorship of the bills.

Thank you for all your assistance in this regard.

Very truly yours,

Joseph G. Sakey
Commissioner

JGS:mfr



City of Cambridge

2.

COUNCILLOR D. SULLIVAN
COUNCILLOR CLINTON

IN CITY COUNCIL
February 4, 1985

- WHEREAS: Cable television has been making inroads into the everyday lives of citizens, businesses, hospitals and schools; and
- WHEREAS: The United States Cable Communications Policy Act of 1984 allows municipalities to collect a license fee of up to 5% of the annual system gross revenues; and
- WHEREAS: The Commonwealth of Massachusetts allows its cities to collect no more than fifty cents for each subscriber per year as an annual license fee; and
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- WHEREAS: There is no state law which currently gives the state or the cities regulatory tools to fully protect our citizens from improper industry practices; and
- WHEREAS: All of our citizens should enjoy access and the benefits of cable television; therefore, be it
- RESOLVED: That the Cambridge City Council fully supports the Municipal Cable Television Franchise Fee Act which amends M.G.L. Chapter 166A to allow cities and towns to access the full fee structure asset by the New Federal Law of 5% of annual system gross revenues; and be it further
- RESOLVED: That the Cambridge City Council fully supports The Omnibus Cable Television Consumer Protection Act which amends M.G.L. 166A by increasing the powers of the State Cable Commission to set regulatory standards for: fair marketing practices, resolution of billing complaints, service rebates, signal quality, late billing interest policies, and hardware deposit policies; and be it further
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RESOLVED:

That a copy of this resolution be forwarded to all members of the Cambridge delegation to General Court of the Commonwealth and also to Representative William Galvin, House Chairman of the Government Regulations Committee.

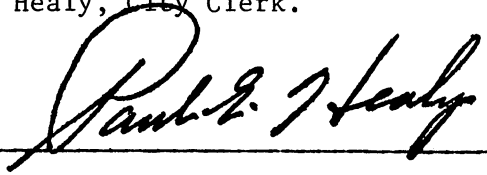
In City Council February 4, 1985.

Adopted by the affirmative vote of 9 members.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Order # 2

S- 106

C.D. Sullivan & C. Clinton re: resolutions supporting the Omnibus Cable Television Consumer Protection Act to amend M.G.L. 166A by increasing the powers of the State Cable Commission to set certain regulatory standards & supporting the Tenants Cable Communication Act to amend M.G.L. 166A to strengthen the rights of rental housing tenants to receive cable t.v. services.

Copy of order with forwarding letter sent to the Cambridge delegation to the State legislature + to Rep. William Galvin, Chairman of the Committee on Government Regulations 2/7/85 ink (copy within)

In City Council,

February 4, 1985

2/4/1985

QDS
CC

Order

Adopted
9-