

CHESHIRE, MERIDEN, SOUTHLINGTON CABLE ADVISORY COUNCIL  
MINUTES OF SEPTEMBER 8, 2009  
COX COMMUNICATIONS - CHESHIRE

NOV 10 2009

10:00 AM

By Ledie St. Colton  
Town Clerk

**Members Present:** Rosalie Fountain, Tim Johnson, Mike Solomine, and Richard (RIT) Campbell

**Members Absent:** Adam Grippo, Andy Jay, Sara Porter, David Cooley, Robert Galati, and Phil Brewer

**Cox Cable:** None

**Others Present:** Kathy Doherty, Recording Secretary

Chairman Rosalie Fountain called the meeting to order at 6:35 P.M. and read the charge of the Council.

Rosalie had spoken to Sara Porter with regards to her health issues and she suggested, and Sara agreed, that it would be best for her to step down as secretary for this year. Mike Solomine has agreed to handle both the Vice-Chairman and Treasurer positions for the year.

**SECRETARY'S REPORT – ADAM GRIPPO**

Adam called the roll and a quorum was determined.

**MOTION:** To accept the minutes of the June 9, 2009 meeting as presented.

Moved by Mike Solomine, seconded by Tim Johnson, motion was passed unanimously by the Council members present.

**TREASURER'S REPORT – MIKE SOLOMINE**

Mike stated that he has received the 2009 stipend from Cox in the amount of \$2,000. There are some outstanding bills to be paid to the secretary which will be taken care of. The current balance is \$5,730.95 and the Council must determine how to spend the funds.

**MOTION:** To accept the treasurer's report.

Moved by RIT Campbell, seconded by Tim Johnson, motion was passed unanimously by the Council members present.

**COMMUNICATIONS BY MAIL**

The Council had received a letter from Reverend David C. Carey from Our Lady of Mount Carmel Church in Meriden complaining about National Geographic and Lifetime HD being removed from the expanded service to a premium pay channel. He stated that although the channels have been removed from the lineup, the monthly cost has not decreased nor was he even notified that these changes would be made. Rev. Carey had also sent a copy of this complaint to the DPUC.

Rosalie stated that she had faxed this letter over to Peter Talbot and he said that he would take care of it.

Tim Johnson stated that he would like to know how this was taken care of noted that he would like to see a copy of the correspondence back to the customer.

Rosalie stated that Peter had sent her an email with the new cable T.V. lineup but she is unable to open the file. Rosalie will email it to RIT to see if he can open it up.

Tim asked what the procedure was for notification to the Council on upcoming changes so that members can be prepared to answer questions and address concerns.

It was explained that the cable company no longer has any obligation to notify the Council of anything. This brings up the question about what the purpose of this Council is since the DPUC passed the docket which stated that rates and cable T.V. lineups no longer have to be processed by the DPUC. Since the DPUC is no longer regulating these activities, the Council has no authority.

The Cable Company used to have to give us a 30 day notice but now they do not have to tell us anything. The State mandates that the Council still has to meet five times a year even though we have no authority. Cox is mandated to attend two times a year. Peter used to attend every meeting but now he only has to attend twice. He was supposed to be in attendance at the meeting this evening.

Cox is currently working on an agreement with AT & T for public access but the Council currently does not even have any authority over public access either.

If customers have complaints, the Council has no authority to deal with the complaints.

The change began when AT & T was granted a video provider license, not a franchise. Once that was done Cox (and the other cable companies) complained that they had to live up to certain standards while AT & T did not and the cable companies asked that AT & T be made to live up to the same standards. The response was that the standards were brought down rather than up and Cable Companies now do not have to live up to the standards provided for in the Franchise Agreements.

The Council tried to find out from the DPUC about the Councils responsibilities but was unable to get a response.

Tim felt that the Council should respond to the Reverend in writing and advise them it was turned over to Cox, copy Peter on the letter.

It was suggested that the Council should have a form letter responding to customer complaints advising customers to forward their complaints on to the DPUC and provide them with the address, phone number, email address and website as follows: DPUC, Ten Franklin Square, New Britain, CT 06054. Phone (860) 827-1553. Fax (860) 827-2613. Web: [www.state.ct.us/dpuc](http://www.state.ct.us/dpuc) and email [dpuc.executivesecretary@po.state.ct.us](mailto:dpuc.executivesecretary@po.state.ct.us).

Rosalie stated that she received two bill payments in the mail, one of which was in Spanish and included something from Social Services. She was going to give to Peter tonight but will get it to him.

#### CHAIRMAN'S REPORT – ROSALIE FOUNTAIN

Rosalie noted that Bob Galati has resigned from the Council because he was appointed to the Southington Board of Education. He had indicated that he would contact Southington to get a replacement.

The Council discussed how the funds from the treasury are going to be spent. There are a total of six middle schools in the three Towns: 2 in Southington, 3 in Meriden and 1 in Cheshire. It was felt that the funds should be equally distributed between the Towns, not equally between the schools.

It was noted that we cannot even get a member from the Board of Education from Meriden to come to a meeting. We need a total of five members from Meriden and apparently, per the Town Clerk, there are concerns about getting a representative on the Council as they are afraid that they will be sued.

Previously the Council donated to four high schools: Maloney, Platt, Southington and Cheshire. Each school was allowed up to \$400 each and they put in a wish list for what they wanted. The items were purchased by Cox and the Council reimbursed Cox. The total cost to the Council was \$1,558.40.

Mike Solomine stated that the average balance in the account doesn't go below \$3,000.00. Even after giving the \$1,500 last time, the balance left in the account was still \$2,900. The Council needs to determine what kind of balance they want to maintain.

Income each year is \$2,000 and expenses run approximately \$1,500 each year. Over the years there has been an excess built up and the Council should be looking into getting rid of the excess.

It was noted that part of the reasons that the Council had the excess funds previously was that AT & T used to have to pay a \$2,000 stipend to the Council each year. In addition, we are no longer paying for a videographer. In the past we had also used the funding to put advertising in the paper during the Franchise renewals.

Cox originally started paying a stipend of \$2,000 each year but they added on cost of living increases each year. When AT & T came in, they had to pay the Council \$2,000 but they did not have to pay any cost of living increases. So, at the time of the franchise renewal, the Cox stipend was dropped to \$2,000 with no cost of living increases as well.

Mike stated that he will be putting in his request for the \$2,000 stipend for 2010 because it takes awhile for Cox to submit the payment. If the request is put in now, it is possible that by January meeting or February the Council will have the \$2,000. The Council did not get the stipend for 2009 until June; Cox does not pay in a timely manner.

Since we have representatives from Cheshire and Southington on the Council, we would only need to contact the BOE in Meriden to get the name of a representative with whom they can discuss the Council's intention.

The Council would prefer to present the equipment to each of the three Towns so that the media could be involved and it would give the Council good press. Pictures could be put in the Cheshire Herald and in the Record-Journal.

Rosalie will contact Meriden to get the name of a representative. Letters will also be written to Mike and RIT with copies sent to the Superintendent of the Schools in each Town asking them to respond by January 1, 2010 with their wish lists.

The Towns will be given the opportunity to divide the \$800 however they see fit between the middle schools and the high schools for audio visual equipment. The Towns can submit their wish list of what they would like up to the allotted amount of funds.

**MOTION:** That the Council divide \$2,400 equally between each of the Towns. Through each of their Town representative it will be determined how the funds will be divided between the high schools and middle schools. The funds should be earmarked for video / technology / audio visual equipment. Letters are to be sent to the representatives of each Town and copied to the superintendents.

Moved by Mike Solomine, seconded by RIT Campbell, motion was passed unanimously by the Council members present.

Rosalie stated that she did not get the names of the Chair and Vice-Chair of the other Cox franchises as the time got away from her. Rosalie will contact Peter to get this information.

Rosalie had received a notice from the State Council about the 12<sup>th</sup> Annual Video Festival on November 7, 2009.

RIT had attended the State Advisory Council Meeting in May but stated that they are in just as much of a quandary as to what to do as this Council is. Rosalie received a notification that the next meeting will be September 23, 2009 at the usual time and place with details to follow.

Once the Franchise renewals run out, it is safe to say that all the Cable T.V. companies will combine and this Franchise will be defunct. All cable companies will probably be participating in the Statewide Meeting only.

At this time, Cox has not changed their certificate to be statewide. This Council is still in effect because the DPUC mandates it. Once the Franchise Agreement goes away, so shall this Advisory Council. DPUC still mandates that the Cable TV companies have to do the PEG.

With the new Certificate, the Cable Advisory Council is mandated to have five meetings per year; Cox is only mandated to attend two of those meetings. When the Franchise Agreement expires, Cox will only have a Certificate of Video Service.

The Council had contacted the DPUC to get an answer as to the function of this Council but they did not give us an answer – they don't know. When AT & T first started the request for a Video Provider Certification Blumenthal said no. But due to a friendship between Blumenthal and a representative from AT & T Blumenthal allowed it. Once Blumenthal realized what he had done, he tried to reverse it but it was too late.

The Council needs to meet with the other Advisory Councils in the State to find out if they are as frustrated as we are. If that is indeed the fact, then we need to band together to go to DPUC to get an answer as to what can / should be done.

RIT stated that Manchester Advisory Group is only concerned with public access and they may not care about these issues. They are keeping themselves busy with PEG access only. Most of their members are users of the PEG access and are not concerned about anything else.

At one time, a member of the Manchester Council came to our meeting to try to get our support to fight AT & T coming in because they would not have to provide access. AT & T is supposed to provide access but they are not regulated and no one is holding their feet to the fire.

Previously Cox could keep the Advisory Council updated on their upcoming changes in pricing and scheduling. However, since there are now competitors, this information becomes proprietary and they no longer are required to share any of this information. We also ran into this information when SNET came in to the Franchise area.

Mike stated that AT & T has never been held accountable to provide PEG (Public, Education, and Government) access to their customers. AT & T had made a proposal to both Southington and Cheshire but they did not feel it was their responsibility to negotiate as they have no right to agree to give AT & T them their feed when they got it from Cox. Currently Cox still owns our feed.

AT & T is gradually adding public access to some of the Towns. AT & T was supposed to negotiate with Cox to provide public access but to date they have come to no agreement.

Due to the fact that this Council has no authority, how can we ask the Towns to provide additional members to this Advisory Council?

Mike questioned why we are going to AT & T's Advisory Council because we are not hearing complaints from AT & T customers, we are not receiving their bills and they are not paying a stipend to us. So who are we representing?

Rosalie attends the Statewide Council as a representative for Meriden, Cheshire and Southington, not as a Cox Cable Advisory Council representative.

RIT stated, and Rosalie agreed, that they felt like complete outsiders at the meeting and that a large number of the members appeared to know each other.

AT & T is required to have this Statewide Council because of their video provider certification.

Rosalie cannot attend the next meeting and asked if anyone would be able to attend.

Mike stated that everyone who had a Cable license prior to 2007 probably is now operating under both a Cable Franchise and a Video Provider License. Once our Franchise comes to its end date there will no longer be any Franchise and this will be the case with all Cable companies across the state.

The State has totally deregulated cable television. When Cox got their franchise they were mandated that they had to offer service to everyone. AT & T does not have to offer service to anyone they don't want to. They can offer it to one street but not the next street if they don't want to.

When SNET brought their cable into our Franchise area, they attended all of the Advisory Council meetings as a franchise and it was a dual Council. SNET sent a couple of representatives to our meetings. They also paid a yearly stipend to the Council of \$2,000. Once that went away they just quit coming and quit paying.

SNET had tried once before under Americast . SNET just sat there and listened to the Cox meeting because there were no complaints at that time because they were so new. They barely got going before they dissolved.

RIT stated that the biggest issues that came before the Council were MSG and NESN. There were also issues on SNY. Most recently, the big issue was taking Turner Classic Movies and moving it to the pay tier, a channel that was largely watched by seniors who could not afford to pay the extra costs.

Mike will try to attend the next Statewide Meeting if possible. Tim suggested that Mike find out if the representatives from Enfield and Manchester will be attending the meeting and then the three of them could sit together.

Due to difficulties scheduling meeting locations, all future meetings will be held at the Cox Communication Studio on Route 10 in Cheshire at 6:30 P.M.

**MOTION:** To accept Chairman's Report.

Moved by RIT Campbell, seconded by Tim Johnson, motion was passed unanimously by the Council members present.

#### **COMPANY REPORT – PETER TALBOT**

Peter was not in attendance.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

Kathy had issues with her email requiring passwords which had never been required in all the years they have had the service and she had to call customer service to get passwords.

While on the phone with customer service, she asked about U-verse Being able to record up to four different shows at the same time and it could be watched on any T.V. in the house. The customer rep told her that was being discussed and that Cox would be rolling out some changes, possibly by the end of the year.

Rosalie noted that she had received a death certificate in the mail over the summer from a customer as it was required to change the name on an account with Cox. Rosalie then called Cox to get her name on the account as well and it took four and one-half minutes to finally get a person.

#### **NEXT MEETING**

The meetings for the remainder of the 2009 – 2010 year are as follows:

January 12, 2010

March 9, 2010

May 11, 2010

June 8, 2010 – Cheshire Restaurant

### **ANNOUNCEMENT**

**Rosalie requested that anyone who is unable to attend the meetings, please contact either Kathy or herself.**

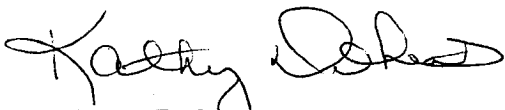
### **ADJOURNMENT**

**MOTION: To adjourn the meeting.**

**Moved by Mike Solomine, seconded by RIT Campbell, motion was passed unanimously by the Council members present.**

**The meeting was adjourned at 8:05 P.M.**

**Respectfully submitted,**



**Kathy Doherty  
Recording Secretary**