

IOWA CITY TELECOMMUNICATIONS COMMISSION **DRAFT**  
MONDAY, JANUARY 25, 2010--5:30 P.M.  
CITY CABLE TV OFFICE, 10 S. LINN ST.-TOWER PLACE PARKING FACILITY

MEMBERS PRESENT: Laura Bergus, Hans Hoerschelman, Robert Kemp,

MEMBERS ABSENT: Saul Mekies, Gary Hagen

STAFF PRESENT: Mike Brau, Bob Hardy

OTHERS PRESENT: Josh Goding, Beth Fisher, Kevin Hoyland, Phil Meany

RECOMMENDATIONS TO CITY COUNCIL

None at this time.

SUMMARY OF DISCUSSION

Goding reported that over the past quarter 36 people attended the guidelines workshop, 16 attended the camera workshop, 1 attended the studio workshop, 11 the editing workshop, and 1 the web media workshop for a total of 65 workshop attendees. PATV's tenant has moved out and they are seeking a new tenant. Hardy reported that a retransmission consent agreement between Mediacom and Sinclair has been reached for one year. Hardy said he has been informed by Mediacom officials that they are no longer interested in negotiating with Iowa City regarding their proposal to bring a 100 megabit Internet service to Iowa City. Mediacom has taken off a couple of analog channels and will soon offer a 50 megabit Internet service in Iowa City. Hardy reported that there will be legislation introduced in the Iowa General Assembly that is intended to require real competition for an incumbent cable operator before they can opt out of a municipal franchise agreement and receive a state certificate of franchise authority. fryeSTORM, a small internet company, has applied for a state certificate for nearly the entire state, including Iowa City. Following procedures, they informed Mediacom that they intended to provide service in Dubuque and Mediacom applied for, and received, a state certificate of franchise authority. The City of Dubuque is working with the League of Iowa Cities to develop legislative language. Dubuque is also pursuing administrative remedies with the Iowa Utilities Board. The City of Iowa City will assist and follow the lead of the City of Dubuque on the issue. Hardy said he Goding and Hoyland recently met and discussed ideas that they may wish to put before school administrators regarding improving the school channel. One idea is to form a group of parents, teachers, and volunteers to produce programs for the channel. The City could provide some start-up funds. Support from the local access channels could come in the form of an initial advisory board and program production. The ideas will be presented to Perry Ross next Wednesday.

APPROVAL OF MINUTES

Bergus moved and Mekies seconded a motion to approve the amended November 23, 2009 minutes. The motion passed unanimously.

## ANNOUNCEMENTS OF COMMISSIONERS

None.

## SHORT PUBLIC ANNOUNCEMENTS

None.

## CONSUMER ISSUES

Hardy referred to the complaint report in the meeting packet and noted the number of complaints was up.

## MEDIACOM REPORT

Hardy said Grassley would be unable to attend due to automobile problems.

## UNIVERSITY OF IOWA REPORT

McBride referred to the annual report included in the meeting packet. The total number of programs produced was less than previous years but the complexity and quality was higher. Bergus said the work of the University channel is quite impressive.

## KIRKWOOD COMMUNITY COLLEGE

Kirkwood provided a written report.

## PATV REPORT

Goding reported PATV did not have its fourth quarterly financial report ready. Over the past quarter 36 people attended the guidelines workshop, 16 attended the camera workshop, 1 attended the studio workshop, 11 the editing workshop, and 1 the web media workshop for a total of 65 workshop attendees of which 46 were discrete attendees. Of the new workshop participants there were no University of Iowa affiliated participants, 37 local participants, and 9 from outside the franchise area. Among recent PATV staff productions are a four-camera production of the Nutcracker at the Englert, the Cultural Corridor ICKY Awards, the What a Load of Craft event, an episode of The Smartest Iowan, and a program with some Russian visitors sponsored by CIVIC. A history of the American with Disabilities Act with Access to Independence is in the planning phase. PATV's tenant has moved out and are seeking a new tenant. The next guidelines workshop will be February 7 from 2:30-4 and the next board meeting will be February 18 at 7 p.m. Hoerschelman asked if PATV was considering going to digital playback. Godeing said they were exploring that option.

## SENIOR CENTER REPORT

Rogusky reported that the Senior Center will be working on a short documentary with some visitors from Russia sponsored by CIVIC. Jean Lloyd Jones is working on a program on the proposed railroad route to Chicago. A new computer was recently purchased. SCTV will again be working with the University of Iowa Artist in the Community program. A 3<sup>rd</sup> part-time staff person has been added. A new volunteer has also joined SCTV.

## LIBRARY REPORT

Fisher reported that December was a slow month. Seven children's productions were recorded. A recent electrical outage caused technical problems and one program had to be cancelled.

## IOWA CITY COMMUNITY SCHOOL DISTRICT

No representative was present.

## CITY CHANNEL REPORT

Hardy referred to a written report in the meeting packet. Hardy reported work was in progress on project with the housing assistance department and local realtors on an interactive program that includes a test so citizens could become eligible for housing loans.

## MEDIACOM/SINCLAIR DISPUTE

Hardy distributed a copy of a letter sent by the City to the FCC regarding the Mediacom/Sinclair dispute. Hardy reported that a retransmission consent agreement between Mediacom and Sinclair has been reached for one year. Mediacom indicated they do not believe their assertion that Sinclair was in violation of FCC rules on media ownership in a given market would prevail at the FCC given that the ownership issue rested on the interpretation of a joint marketing agreement. Mediacom officials have indicated that the major barrier to an agreement was Sinclair's insistence on higher fees from Mediacom than other cable providers.

## ACCESS CHANNELS AND THE DIGITAL TRANSITION

Hardy said he has been informed by Mediacom officials that they are no longer interested in negotiating with Iowa City regarding their proposal to offer a 100 megabit Internet service. Mediacom has taken off a couple of analog channels and will soon offer a 50 megabit Internet service in Iowa City.

## STATE LEGISLATION

Hardy reported that there will be legislation introduced in the Iowa General Assembly that is intended to require real competition for an incumbent cable operator before they can opt out of a

municipal franchise agreement and receive a state certificate of franchise authority. fryeSTORM, a small internet company, has applied for a state certificate for nearly the entire state, including Iowa City. Following procedures, they informed Mediacom that they intended to provide service in Dubuque and Mediacom applied for, and received, a state certificate of franchise authority. The City of Dubuque is working with the League of Iowa Cities to develop legislative language. Dubuque is also pursuing administrative remedies with the Iowa Utilities Board. The City of Iowa City is providing support and is following the lead of the City of Dubuque on the issue. In addition, Dubuque is seeking clarification on the status of PEG channels after the expiration of a state certificate of franchise authority. Hoerschelman asked if there would be any refund liability for the City if Mediacom were to convert to a state certificate. Brau said the current law requires a cable operator to honor all PEG obligations for a period of time equal to the end of the municipal franchise agreement so PEG funding is secure.

### SCHOOL CHANNEL

Hardy said he Goding and Hoyland recently met and discussed ideas that they may wish to put before school administrators. One idea is to form a group of parents, teachers, and volunteers to produce programs for the channel. The City could provide some start-up funds. Support from the local access channels could come in the form of an initial advisory board and program production. The idea will be presented to Perry Ross next Wednesday. Hoerschelman said he would like to create incentives in the form of high school and/or college credit or scholarship money for students to produce and run the channel.

### TRIENNIAL REVIEW

Hardy requested this item be deferred.

### MEDIACOM PSA PROCEDURES

Hardy distributed a document that outlined a procedure for local access channels to place PSAs on Mediacom's system.

### ADJOURNMENT

Hoerschelman moved and Bergus seconded a motion to adjourn. The motion passed unanimously. Adjournment was at 6:34 p.m.

Respectfully submitted,

Michael Brau  
Cable TV Administrative Aide