



**Portsmouth
Cable Commission Meeting
9:30 a.m. – July 17, 2008
City Hall/City Manager's Conference Room**

The Portsmouth Cable Commission met on Thursday, July 17, 2008 at 9:30 a.m.

I. Call to Order - The following were present:

John Gregg, Chairman
Louis Vinciguerra, Commissioner
Nancy Beach, Commissioner
Kathy Pearce, Commissioner

Brian Gregg, Commissioner, via telephone

Also present were Alan Brady, City of Portsmouth Communications Supervisor and Suzanne Woodland, Assistant City Attorney

Chairman John Gregg called the meeting to order at approximately 9:40 a.m.

II. Approval of Minutes – June 5, 2008 - Voted to approve and accept the minutes of the June 5, 2008 Cable Commission meeting. Motion passed. Brian Gregg abstained.

III. Communications to Commission – The Chair referred to two letters received and distributed last month and asked the Commissioners their thoughts. The first letter was received from Jay Somers of Comcast addressed to Mayor Ferrini offering to come and speak to the City Council at their pleasure to describe the conversion process to digital in February 2009.

MOTION made by Gary Lowe to communicate to the City Manager that Cable Commission recommends that the City Council accept the invitation of Comcast to address the digital conversion. Seconded by Nancy Beach. Motion passed.

The Chair referred to the second letter from a Comcast subscriber expressing dismay about moving MSNBC to the digital tier, receiving short notice to do so and suggested there is some cost involved and the Chair asked for clarification.

Alan Brady stated he understands that Comcast eliminated a couple of channels from the analog basic plus but kept charging the same price, they've taken four channels off, moving to the digital tier where there are several people who do not have the digital box and now they have lost four channels and still pay \$50/month for that service.

Suzanne Woodland reported she spoke with Comcast who confirmed that this subscriber would qualify for one free digital box for the year, the second and third digital boxes you can have at a reduced price (\$1.99 instead of \$3.99). This is the

Consumer's option now that there has been this migration. Do you take the free digital box for a year? Do you change the service you get? Do you go to satellite TV? It's a consumer choice.

The four channels do not include CSPAN that has already been moved, there are in addition to. The channels moving to digital are True TV, MSNBC, EWTN, BCTV, Inspiration, Hallmark, and NJT will no longer be available.

The Chair referred to there being two parts, one being whether this subscriber has been responded to and, do we need to take any action, do we need to get back to them to explain the digital box.

Suzanne Woodland communicated with them that they would be entitled to receive the free box. That is not what they want. They want expanded basic service at the price they're paying to include these other channels and that the Cable Commission has limited authority over rates and programming.

The Chair felt nothing further could be done, however, there are ongoing issues. First, the subscriber letter reflects confusion about the migration of the channels to the digital tier and the federally-mandated conversion to digital. This confusion is caused in part by Comcast's billing language which references that Comcast customers do not have to do anything to be prepared for the digital conversion while in the same bill advising customers to purchase a digital box if they want to continue to view channels now on the digital tier. The second issue is that the City and Commission are in the dark as to Comcast's plans for moving analog to digital and feels it would be helpful for Comcast to explain its plans to us.

Suzanne Woodland raised this issue with Mr. Somers as there is concern regarding the migration to digital. It is her understanding that Comcast is trying to resolve pipeline issues; trying to accommodate their commercial needs to deliver the type of services people want which is complicated by the internet usage and heavy downloads. Mr. Somers indicated that Comcast does not have a fixed timeline for going all digital, but there may be continuing migration. Approximately 20% subscribers in Portsmouth don't have digital services.

MOTION made by Gary Lowe that the communication to the City Manager include an identification that there is concern and confusion within the community regarding the digital migration and Comcast should be prepared to address and respond to such questions when it discusses digital conversion. Seconded by Kathy Pearce. Motion passed.

Suzanne Woodland will copy Comcast with the memorandum being sent to the City Manager and copy the subscribers who wrote the letter.

V. Non Public Session (meeting with Legal Counsel)

MOTION made Nancy Beach to go into non-public session. Seconded by Louis Vinciguerra. Motion passed.

The Commission then went into non-public session.

MOTION made by Kathy Pearce to go back into public session. Seconded by Nancy Beach. Motion passed

VI. Adjournment - MOTION made by Nancy Beach. Seconded by Louie Vinciguerra. Motion passed.

Respectfully submitted,
Elaine E. Boucas