

Present: Heldt, Kott, Mancini, Mathers, McLain - Birmingham
Borgon, Heyman, Pfeifer – Beverly Hills
Ettenson – Bingham Farms
Gallasch – Franklin

Absent: Abbott - Birmingham
Verdi-Hus, Woodard – Beverly Hills

Also Present: Hagaman - Executive Director
Currier - Attorney for Cable Board
Martinico - Director of Technology, Birmingham Schools
Florance - Bloomfield Community Television representative
Beller - Comcast representative
Valentine – Birmingham staff liaison

Chairperson Borgon called the meeting to order at 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES

Motion by Ettenson, second by Kott, that the minutes of a Birmingham Area Cable Board meeting held on June 20, 2007 be approved as submitted.

Motion passed.

PUBLIC COMMENTS

None

ELECT BOARD OFFICERS

The bylaws of the Birmingham Area Cable Board require that officers be elected annually at the first meeting of the new fiscal year. Borgon opened the floor for nominations for the office of chairperson of the Cable Board.

Mancini nominated Robert Borgon to the position of chairperson of the Cable Board. There were no further nominations. Borgon was elected as chairperson by acclamation.

Nominations for the position of vice-chairperson of the Cable Board were accepted. Gallasch nominated Mel Ettenson. Ettenson accepted the nomination and was elected vice-chairperson by acclamation.

Pfeifer nominated Elaine McLain for the joint position of secretary/treasurer of the Cable Board. McLain accepted the nomination with the provision that the Executive Director provide support in terms of treasurer duties. McLain was elected to the positions by acclamation.

EXECUTIVE DIRECTOR'S REPORT

Hagaman related that she and McLain have discussed recurring complaints regarding picture pixilation, long phone wait times, no access to supervisors, failure to return calls as promised, and the fact that area outages are not reported to Comcast customer service representatives.

Hagaman reported that she has received and logged the first customer complaint regarding AT&T service. There is no phone number or address where complaints can be referred at this time. Hopefully, the Board will be able to implement the same complaint procedure with AT&T as it has with Comcast. At the Board's direction, Hagaman will send AT&T service complaints to Carmen Johnson, Director of External Affairs, and to the CEO of AT&T.

Hagaman mentioned that the Cable Board sent a letter to Carmen Johnson last month inviting her to attend monthly Board meetings. It is anticipated that a representative from AT&T will be present at next month's meeting.

Comcast has sent letters to the municipalities informing them that only one free municipal drop will be provided to a municipality's police and fire departments. Municipalities with more than one fire station will have to pay for additional drops as well as drops to municipal offices and other municipal locations.

Cable Board Attorney Tim Currier stated that he has reviewed this matter and will be sending a letter to Comcast requesting the specific authority on which they base this action. The Uniform Franchise Act states that municipalities cannot impose additional requirements on Comcast; there is nothing in the Act that prohibits Comcast from providing multiple drops for the consortium communities. The drops were a freely negotiated provision and not an ordinance requirement that was unilaterally imposed on Comcast. Comcast's predecessors including Booth, Media One, and AT&T provided municipal drops.

Hagaman related that Plante Moran has submitted a cost not to exceed \$5,100 to perform the Annual Audit of the Board's financial operations.

APPOINT ATTENDEES TO NATOA CONFERENCE

Borgon thanked Board members including Ken Kott and Jeff Heldt for their interest in attending the NATOA Conference. Borgon appointed Elaine McLain for the second year along with vice-chair Mel Ettenson as representatives from the Birmingham Area Cable Board to attend the October NATOA Conference in Portland, Oregon.

COMMITTEE REPORTS

Cable Action Committee

McLain acknowledged Comcast representative Louise Beller's participation in monthly Cable Board meetings. Carmen Johnson is the sole Cable Board contact from AT&T; she was unable to attend today's meeting or send anyone in her place.

McLain stated that an article in the Eccentric newspaper reported that AT&T rolled out its services in the area on May 21. Soon after that date, VRAD (video ready access delivery) boxes became operational. On June 22, the first installations in Birmingham occurred. The technology being used by AT&T is IPTV (Internet Protocol Television). IPTV is a system where a digital television service is delivered by using Internet Protocol over a network infrastructure, which may include delivery by a broadband connection. A general definition of IPTV is television content that, instead of being delivered through traditional broadcast and cable formats, is received by the viewer through the technologies used for computer networks.

The first AT&T outage occurred on July 8 on all local channels. The 1-800 phone number was unavailable for that entire time period. There was no recording or web site available to report the outage. McLain stated that there have been a number of service visits and follow up calls in the four weeks since installation began in Birmingham and Bingham Farms. They will be documented.

On June 25, McLain recorded a promotional piece about consumer issues, customer complaints, contacting Comcast, and how residents can get their questions answered during this timeframe when the Michigan Public Service Commission is developing a complaint procedure. McLain wholly supports the current complaint process at the Cable Board level. The Committee will continue to contact Carmen Johnson and others until they receive voluntary participation from an AT&T representative at Board meetings to participate in complaint resolution.

The next Cable Action Committee meeting is scheduled for Wednesday, July 25 at 5:30 p.m. at the Baldwin Library.

PEG Committee

Mancini reported on items discussed at the PEG Committee meeting held on June 20. After legal review and continued dialog between BCTV and BACB, a signed contract has been secured with Bloomfield Community Television.

Action was initiated to begin recording promotional announcements and voice-over bumpers for M15 and PA18. The Committee discussed the importance of expanding the promotions to other important issues of municipal interest. Following the successful announcement from Chairman Borgon, the recording initiative continued with Dorothy Pfeifer, Elaine McLain speaking about the role of the Cable Action Committee, and Bob Mancini talking about the PEG committee's commitment to the public. Other recordings were completed by Board member Fred Gallasch, and Birmingham Mayor Tom McDaniel. Mancini anticipates a future promotional announcement from Lisa Martinico representing Birmingham Schools. These might be advertised as public service announcements on Comcast to drive viewers to M15 and PA18.

The purchase of new broadcast equipment was a topic of discussion at the last PEG Committee meeting. This acquisition would increase the flow of relevant information to constituents and generate a more professional look to our channels. Steve Rota and Zack Florance from BCTV will address this issue in greater detail. Florance and Rota presented the following:

- An example of the present e-billboard look
- The previously heard voice-over bumper
- The promotional videos from BACB members Bob Borgon, Fred Gallasch, Elaine McLain and Bob Mancini
- The recorded message from Beverly Hills Council Liaison Dorothy Pfeifer
- The recorded message of Birmingham Mayor Tom McDaniel
- Two examples of the electronic billboard enhancement that can be achieved with the new equipment purchase. One deals with imbedding material for programming promotion; the other deals with executions when regular programming is broadcast.
- An overview of the equipment needs including the estimated costs that will be part of the proposal before the Board for consideration

Florance discussed proposed equipment that would deliver more information to residents with a high end, eye-grabbing look. The solution being proposed is a product called Inscribe InfoCaster, which is a high-impact, multimedia communications graphic system. It would enable staff to provide advanced features such as 3-D animations and live data feeds of real-time information like weather, sports and stock updates. Florance presented a screenshot example for Board members to view. During live meetings or other programming, the screen can be customized to include an instant data feed at the bottom of the screen. He provided other video samples of InfoCaster capabilities.

Florance mentioned that this solution is proposed for M15 at this point with the hope of expanding it to PA18 at a later date. Expanding the system to another channel would cost a fraction of the initial start-up cost for this program, approximately \$4,000.

The estimated cost of the InfoCaster system is \$16,167 and includes all necessary components, installation, two full days of training for staff by a professional, a training DVD, and one year of support.

It is further recommended that two additional cameras for the field be purchased, one for the truck and one to remain at the BCTV facility. Florance proposed the purchase of two Panasonic AG HVX200 cameras at an estimated cost of \$11,561 per unit including accessories. Having additional cameras would provide more flexibility in shooting times, better picture quality, and provide a small portable unit.

The third tier of the upgrade would encompass a digital video server, which is a video insertion device that would allow staff to more easily insert promotions and programs in a seamless fashion. Florance proposes the purchase of a Tightrope VS4 Video Server at the cost of \$12,765. It can store hundreds of hours of programming; it would result in less clippings and countdowns; it would cut down on unexpected periods of black.

Florance emphasized that the costs provided are estimates. Competitive bids are likely to result in lower prices. The total upgrade cost is estimated not to exceed \$52,054. Questions from Board members on the equipment and its operation were addressed by Florance, Mancini and Borgon. Ettenson questioned the advantages of the upgrades that would justify the expense.

Motion by Mancini, second by McLain, to approve the expenditure of an amount not to exceed \$52,100 for purchase of equipment upgrades.

One Inscribe InfoCaster	\$16,167
Two Panasonic AG-HVX200 cameras (plus accessories)	\$23,122
One Tightrope VS4 Digital Video Server	\$12,765

Yes – Heldt, Kott, Mancini, Mathers, McLain, Borgon, Heyman, Pfeifer, Gallasch
No - Ettenson

Motion passed (9 – 1).

COMCAST RELATED TOPICS

Subscriber Complaints

Borgon remarked that subscribers continue to have difficulty getting through to the call center. Comcast representative Beller responded that Comcast regularly monitors its customer service standards to make sure it is meeting the threshold of compliance. Weather related outages that occurred last month contributed to the high call volume. All complaints have been resolved with the exception of a few that were related to the power outage.

Beller provided clarification to a letter regarding courtesy services. She indicated that Comcast will continue to provide all of its courtesy services to the school system and to all public libraries. Comcast will provide cable drops to one police and one fire location for each community.

McLain noticed three themes in the complaints: 1) pixilation; 2) billing confusion; and 3) new installation problems. She asked if Comcast had specialists who install cable at new constructions noting that a number of people are having scheduling issues. Beller suggested that the customer specify when they call that they are timing the service call with other wiring in a new construction situation.

McLain remarked that multiple complaints occur at times due to node issues. Beller responded that Comcast has a sophisticated system that monitors outages or increased noise levels that might be indicative of a problem in a specific node. Once a certain threshold is reached, a maintenance call is scheduled. Within the last 30 days, there have been DTE related outages and power transition issues that have impacted multiple nodes. The system has since been restored.

Beller explained that pixilation in a signal does not mean that there is degradation of quality or a problem with the system. Pixilation can be caused by any slight degradation in a signal that Comcast receives from the programming provider or if there is an issue with the digital box connection.

Beller suggested that Board members schedule a Comcast facility tour on a Thursday in August either in the early morning or late afternoon.

Heyman observed a disturbing trend in this month's complaints in terms of promised call backs of customers that do not occur. Beller responded that the goal of Comcast is to make sure that customers are called back in the promised time frame; she thought that the call back option was working well. Beller will research this and provide information to the Board.

Comcast Updates

None

Other Issues

Currier stated that Comcast recently sent the consortium communities a letter indicating that it was attempting to come into conformance with Uniform Service Local Franchise Act 480 of 2006 by changing the franchise quarterly payment schedule. Our franchise agreement currently states that payments are to be made within 30 days at the end of each calendar quarter. Comcast's letter to the communities indicate that the company believes it can go to 45 days, which would result in a loss of interest income by the communities.

The language of the Act says specifically that communities are to be paid within 45 days; the current franchise agreement is consistent with this. The Board will be sending a letter to Comcast requesting further information regarding how it determined that the current payment schedule is inconsistent with the franchise agreement. The Act states that the communities cannot enforce additional requirements, but the cable provider will continue under their existing franchise agreement.

Currier stated that subscribers received notice in their Comcast bills of a proposed class action settlement regarding Cableguard and digital cable. Documents enclosed with each digital subscriber bill indicated that, in certain circumstances, customers may have been receiving Cableguard service prior to going to the digital tier. Cableguard service is part of the digital package. Some customers may have been charged an additional line item for Cableguard if they upgraded from analog. The document states that current customers will receive a credit for this and former customers will receive a check. People have asked how this can be determined by viewing their bill.

Beller stated that customers can call Comcast for clarification on this billing transition error using the 800 number printed on the notification document enclosed with their bill.

Currier noted that the settlement is for people who received Cableguard service between March 8, 2000 and April 30, 2007. Claims must be submitted by September 18, 2007. Currier summarized that customers who want to take advantage of this settlement should call Comcast to discuss their former bills and determine how much may be owed them.

Borgon opened the floor for public issues regarding Comcast.

Rosanne Koss of 17506 Kinross stated that she has had Comcast service for five years and spends almost \$2,000 per year for digital cable and Internet service. She discontinued Comcast phone service due to problems that disrupted her household. Koss expressed frustration with calling Comcast with a problem and hearing a message saying that they are experiencing a high volume of calls with a long wait time and asking if the customer wants to be placed on the call back list. She does not have an hour to wait on the phone nor does she know whether she will be available for a call back from Comcast. She has been put on hold and then disconnected after explaining her problems to a Comcast representative; there is no record of the call. The option to email Comcast with your problem is not viable if your Internet service is not working. Koss has experienced Comcast technicians who have not arrived for an appointment during the scheduled window. She indicated her dissatisfaction with Comcast service and response time. As a subscriber, Koss is looking for some answers and assistance with her problems.

Beller responded that she will take a look at the issues presented by Koss and make sure that they are resolved.

Hildreth Buterbaugh of 18171 Dunblaine in Beverly Hills outlined a number of issues with Comcast service: 1) Royal Oak Comcast offers a senior rate; 2) Length of wait time to reach a customer service representative; 3) Problem with obsolete computer modem; 4) CSRs are not prepared to answer questions about the new digital service promotion; 5) Comcast phone service issues; 6) Customers should be notified of Internet outages. Buterbaugh stated that his goal is to obtain good quality service for everyone.

MLTV15/PA 18 REPORT

Zack Florance from Bloomfield Community Television affirmed that BCTV signed a contract with the Birmingham Area Cable Board and is happy to continue providing programming service to the communities. He reported on programming taped for Municipal Channel 15 and PA Channel 18 during the last month and noted upcoming programs of interest (information included in the BCTV monthly report for June 21 – July 20, 2007).

County Commissioner Marcia Gershenson is taping her County Corner show today with David Sommerfeld as her director. BCTV will be taping some of the Birmingham Jazzfest concerts on Thursday night and Saturday's Summer in the City. Steve Rota has taped one-minute "teasers" with Dorothy Pfeifer, Bob Mancini, Elaine McLain, Fred Gallasch, and Tom McDaniel. A taping is scheduled with Todd Stearn.

Florance reported that he and Steve Rota met with Bill Gaetz from Duncan Video to discuss equipment needs for the BACB production van. Equipment options are being researched and a proposal is being prepared for the Board's review.

Florance stated that he recently won a Hometown Video Festival award presented by the Alliance of Community Media for production of a concert by the Birmingham Bloomfield Symphony Orchestra. Steve Rota and David Sommerfeld are waiting for news about their submissions.

OLD BUSINESS

Kott updated the Board relative to ongoing research with various vendors on the purchase of a production truck. He will contact Hagaman regarding preparation of a Request for Proposal.

Pfeifer remarked that the Board has discussed providing grant money to the communities for web streaming of municipal meetings. Beverly Hills staff has prepared a memo with information on this topic including cost estimates. The memo will be distributed to Board members.

NEW BUSINESS

Currier distributed information on proposed Senate Bills 636 and 637 introduced in the Michigan Senate yesterday, July 17. His firm has not had an opportunity to fully analyze the legislation, but Currier provided the Board with a first impression of the bills. Bill 636 is an amendment to the Uniform Services Local Franchising Act proposed to clarify the PEG fee that is to be paid by providers.

Proposed Bill 637 is an amendment to the Uniform Services Local Franchising Act that deals with service dispute resolution procedures. The Birmingham Area Cable Board has already filed a comment to the Michigan Public Services Commission regarding its proposed dispute resolution process and has objected to the procedures that avoid local communities and cable boards and ignore the existence of Consumer Protection Ordinances and Cable Ordinances. Currier outlined the complex, time consuming, and expensive complaint process that a customer will be required to follow when filing a complaint with the MPSC. He views the process as an attempt to avoid the requirement of cable providers having to address customer complaints.

Currier recommended that the Cable Board oppose Senate Bill 637 and convey its strong objections to the complaint process to State Representatives and Senators. If this Bill is passed, it

will be detrimental to citizens and represent the first step in eliminating local control. The Board directed Hagaman to prepare a letter in opposition to Senate Bill 637.

Ettenson stated that it was announced yesterday that the Governor appointed a new member of the MPSC, Steven Transeth, who most recently served as assistant director and legal counsel for the Michigan Legislative Service Bureau. Ettenson questioned whether this was a good appointment. Currier did not have additional information about the appointee.

BOARD COMMENTS

McLain encouraged subscribers to keep a log of their cable complaints so they are prepared to follow up on their cable problems, regardless of their cable service provider.

PUBLIC COMMENTS

None

The meeting was adjourned at 9:46 a.m.