

MFP COMMITTEE #2  
June 30, 2008

**Quarterly Review**

**MEMORANDUM**

June 26, 2008

TO: Management and Fiscal Policy Committee  
FROM: Susan D. John, Legislative Analyst *SS*  
SUBJECT: Quarterly Review: Comcast, RCN, and Verizon Customer Service

*The following are expected to attend this work session:*

Steven Emanuel, Chief Information Officer, Department of Technology Services  
Amy Wilson, Program Manager, Office of Cable and Communication Services  
Representatives from Comcast, RCN, and Verizon

The Management and Fiscal Policy Committee is holding this worksession to review customer service performance for Comcast Cable Communications, RCN, and Verizon Communications to ensure that performance measures established by the County's franchise agreements are being met. As part of the Department of Technology Services, the Cable Office continually monitors customer service data for Comcast, RCN, and Verizon. The Cable Office staff actively works with company representatives to resolve a variety of issues.

**I. Customer Service Guidelines**

**A. Cable Television Guidelines**

Pursuant to the 1992 Cable Television Consumer Protection and Competition Act, the Federal Communications Commission (FCC) adopted guidelines for improving the quality of customer service provided by cable operators. During the last 10 years, FCC standards have become boilerplate language in most local cable franchise agreements, including the County's agreements with Comcast and RCN. These agreements establish numerical standards for minimum customer service requirements that are virtually identical to FCC standards. The franchise agreement with Verizon has similar standards, but the language is not identical to the language in the County's franchise agreements with Comcast and RCN.

The following is a summary of the FCC standards that are part of the County's franchise agreements (©1-2). Although Comcast, RCN, and Verizon are required to provide monthly reporting numbers, their performance is measured quarterly to determine compliance. A violation of these minimum customer service standards may result in fines being levied against a franchisee.

### **1. Subscriber Calls to a Cable System**

Unless otherwise noted, the following requirements must be met 90 percent of the time, measured quarterly, under normal operating conditions. In the County's franchise agreements, normal operating conditions are defined as "those service conditions which are within the control of the cable operator." These conditions include special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or rebuild of the cable system.

1. Each cable system must maintain a local, toll-free, or collect-call telephone line that must be available 24 hours a day, seven days a week.
2. Company representatives must be available to respond to customer inquiries during normal business hours, which is defined as the hours during which most similar businesses in the community are open to serve customers.
3. After normal business hours, the cable system may use an answering service or machine, so long as messages are responded to the next business day.
4. A call to a cable system must be answered (including the length of time the caller is put on hold) within 30 seconds after the connection is made. If the call is transferred, the transfer time may not exceed an additional 30 seconds.
5. Cable system customers may receive a busy signal no more than three percent of the time.
6. Although no special equipment is required to measure telephone answering and hold times, cable operators should use their best efforts in documenting compliance.

### **2. Installations, Service Interruptions, and Service Calls**

The following requirements for installations, outages, and service calls ordinarily must be met at least 95 percent of the time, measured quarterly, under normal operating conditions.

1. Federal guidelines state that standard installations, which are those located up to 125 feet from the existing distribution system, must be performed within seven days after an order has been placed.
2. Except in situations beyond their control, cable operators must begin work on a service interruption no later than 24 hours after being notified of the problem. A service interruption has occurred if the picture or sound on one or more channels has been lost.
3. Cable operators must begin to correct other service problems the next business day.

4. Cable operators may schedule appointments for installations and other service calls either at a specific time or, at a maximum, within a four-hour time period during normal business hours.
5. Cable operators may also schedule service calls outside of normal business hours for the convenience of the customer.
6. No appointment cancellations are permitted after the close of business on the business day prior to the scheduled appointment. If the cable installer or technician is running late and will not meet the specified appointment time, he or she must contact the customer and reschedule the appointment at the convenience of the subscriber.

## **B. Internet Access Service Standards**

As required by Executive Regulation 23-03AMII, Cable Modem Service Standards, September 2004 was the first month the companies were required to provide the County with customer service data related to high-speed internet service. On April 10, 2007, the Council approved Regulation 26-06AM, Internet Access Service Standards, which superseded Regulation 26-03AMII. Regulation 26-06AM continues the reporting requirement; however, certain customer service standards were modified by Regulation 26-06AM.

Regulation 26-06AM requires the following:

1. Calls must be answered in 30 seconds at least 75 percent of the time.
2. Calls must receive a customer account executive (CAE) connection within 60 seconds at least 75 percent of the time.
3. Repairs must be performed in 36 hours at least 90 percent of the time. (Regulation 26-03AMII specified that this standard must be met 95 percent of the time.)
4. Installations must be performed in seven days at least 90 percent of the time. (Regulation 26-03AMII specified that this standard must be met 95 percent of the time.)

## **II. Customer Service Issues**

### **A. Comcast**

Rockville Call Center Closure: Beginning in April, Comcast began housing all call center personnel at one location at its Tech Road facility in Silver Spring. Comcast advises that this restructuring will allow them to provide better ongoing training, quality control, and ensure that employees carry out the goal of great customer service. The payment centers in Rockville and Gaithersburg are not affected.

Call Center Customer Service Hours: Beginning June 29, 2008, Comcast will adjust its call center hours for sales and billing inquiries only – service and repair hours will remain

available 24 hours a day, seven days a week. Comcast's new billing and sales hours will be 8am – 9pm, Monday through Saturday, 9am – 5pm on Sunday.

Call Center Phone Problems: Comcast continued to be challenged with issues that affected a customer's ability to reach the Call Center. Comcast experienced a large outage in December that affected their internet users, and the surge in calls caused the system to overflow.

Refunds: Previous and current subscribers continue to complain about obtaining refunds when services are cancelled. The cable provider is required, per the Federal Cable Act, to refund any pre-paid amounts on the customer's account ledger.

In addition, the Cable Office is receiving complaints that automatic debits continue after Comcast disconnects services. This has caused multiple issues for consumers, including overdrafts on their bank accounts. Comcast advises that refunds take at least six weeks to process. *During the last quarterly report, the Cable Office advised the Committee that it would take remedial action if the problems continue. Has the Cable Office done so? Is it warranted?*

Effective Competition: As previously reported, Comcast has filed a Petition for Determination of Effective Competition with the FCC. If the Petition is granted, the County and participating municipalities would lose the authority to regulate the rates for basic cable service, equipment, and installation. Comcast would not be required to provide uniform rates throughout the franchise area, could bundle services so that basic subscribers would have to subscribe to a higher tier of service in order to receive premium channels and may even be able to transfer subscribers to new tiers of service unless they affirmatively "opt out."

The Petition is currently being reviewed by the FCC. The County filed a surreply to correct erroneous information in the opposition filed by Comcast. On September 7, 2007, Comcast filed a motion to strike the surreply of Montgomery County, Maryland, and the County submitted opposition to that motion. The FCC is under no deadline to act.

Privacy Notice: In March, Comcast set its proposed 2008 Privacy Notice for County review. Again this year, the County did not approve the notice because various provisions of the Notice purport to permit actions that violate federal law. Comcast has sent the notice out to customers.

## **B. RCN**

Franchise Fee Increase & PEG Fees: In November 2007, RCN increased their franchise fees to 5.9 percent and PEG fees to 3 percent. After analysis by the County's outside financial consultants, it was determined that fees were incorrectly reflected on subscriber bills. As of the June billing cycle, RCN was to make the necessary changes to correctly reflect the fees on the bills. This change does not increase the amount customers are billed; it corrects the way the fees are listed on the bills.

## C. Verizon

Verizon FIOS Store Opening: On June 9, 2008, Verizon opened a new FiOS store in Wheaton. The store is the first of its kind in Maryland. It offers wall-to-wall FiOS services in a family room setting, where shoppers can experience FiOS. Shoppers can order services, return or pick up equipment, pay their bill, and have their questions answered by a Verizon representative.

Activations: In May, the Silver Spring area was activated, allowing consumers to take advantage of the bundled package that includes phone, internet, and cable.

City of Rockville: The Mayor and Council of Rockville approved the FTTP project on June 9, 2008, paving the way for a cable TV franchise by late summer.

## III. Customer Service Performance

### A. Customer Complaints

During the first quarter of 2008, the Cable Office received a total of 408 complaints. The complaints filed with the office remained similar to those filed during the last quarter. The complaint description is attached on © 13.

Comcast: Complaints have dropped since last quarter, from 343 during the last quarter of 2007 to 296 in the first quarter of 2008. Service, billing, and telephone answering remain the areas of significant concern.

Two such complaints, forwarded to Councilmember Phil Andrews' office, are attached at © 9-12, outlining ongoing problems with service, getting calls answered, and billing for intermittent service. *Comcast representatives will update the Committee on the status of these particular complaints.*

RCN: The complaints to the Cable Office have risen over the past quarter, from 19 during the last quarter of 2007 to 30 this quarter. Billing, service, and telephone answering are major issues. Follow-up to the customers and the Cable Office from RCN staff is poor.

Verizon: As Verizon's customer base increases, complaints to the Cable Office increase as well, almost doubling during the first quarter of 2008 (82) over the fourth quarter's 44 reported complaints. Billing is the major issue as customers convert from phone-only service to the bundled FiOS packages. *Council staff advises that at the last quarterly review, the Committee asked Verizon to perform an internal audit of customers to see how wide-spread billing complaints were. Has Verizon done so, and what are the results?*

The Cable Office has also been getting complaints on a marketing campaign that Verizon ran in late 2007, offering a free flat screen TV. Customers have not received their televisions and receive conflicting information when they speak to Verizon customer service representatives as to when they should expect to receive it.

## B. Compliance: Telephone Answering, Installation, and Service

*Compliance data for telephone answering, installation, and service was not available at the time this packet went to print. The Cable Office will provide the information either as an addendum to this packet, or at the Committee meeting.*

## C. Construction Violations

### Comcast:

1. Testing: Winter Proof Tests were performed February 10-12, 2008. Comcast met FCC performance standards at all sites except the Virginia Pines Terrace test point. The Cable Office will comment on the other FCC required tests once Comcast provides the test results for the office's review.

The first quarter monitor tests found only one location where the signal level was below the FCC minimum standard. The problem was reported to Comcast.

2. Inspections: In the fourth quarter of 2007, Columbia Telecommunications Corporation (CTC) reported 3,241 construction violations, up significantly from third quarter violations that totaled 2,552.

In the first quarter of 2008, total violations decreased to 2,406, approximately 25 percent less than fourth quarter figures (*see Table 4*). CTC attributes this increase, in part, to the fact that Comcast stopped reporting the locations of their drop installation work crews, making the number of drop installations inspected significantly lower than in prior quarters. Construction category violations comprised approximately 70 percent of the total violations. About 40 percent of these were maintenance related, including sites that required guy wire repair, reattachment of lashing, and installation or repair of protective guards that cover cables and guy wires. Drop-related violations accounted for about 25 percent of the total number of violations. Most of these included unsecured and temporary drop cables and exposed underground cables that needed to be buried.

**TABLE 4: Construction Inspection Summary – Reported Violations for Comcast  
1st Quarter 2007 – 1st Quarter 2008**

Type of Problem	2007 1 <sup>st</sup> Quarter	2007 2 <sup>nd</sup> Quarter	2007 3 <sup>rd</sup> Quarter	2007 4 <sup>th</sup> Quarter	2008 1 <sup>st</sup> Quarter
Construction	1,675	1,831	1,556	2,078	1,710
Equipment	38	38	17	60	102
Restoration	56	55	35	96	5
Subscriber Drops	1,159	1,095	944	1,007	589
Totals	2,928	3,018	2,552	3,241	2,406

*\*Data compiled from CTC's Testing and Inspection Reports*

Currently, there are 4,514 outstanding violations. Comcast is required, under the franchise agreement, to repair violations within 30 days of notification. Comcast's compliance

with this requirement has declined steadily over the past year. Only 56 percent of violations reported in 2007 were corrected within 30 days.

**TABLE 5: Comcast Violation Repair Record  
2<sup>nd</sup> Quarter 2007 – 1<sup>st</sup> Quarter 2008**

Repair Record	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	1 <sup>st</sup> Quarter	Total Outstanding Violations as of March 31, 2008
Total Violations	3,018	2,552	3,241	2,406	
Addressed within 30 Days	2,751	1,591	0	0	46%
Addressed over 30 Days	92	863	1,736	0	22%
Total Repaired	2,843	2,454	1,736	0	
Outstanding Violations	175	98	1,505	2,406	4,514

3. Reinspections: Third quarter reinspections found that nine percent of the second quarter violations that had been reported as fixed, had not been. Fourth quarter reinspections found that 10 percent of the problems had not been corrected. These numbers are within acceptable limits, and the Cable Office will not assess any penalty for those two quarters.

RCN:

1. Testing: The Winter Proof Tests were performed by RCN staff on February 25 and 26, 2008. Based on review of the measurements recorded, all test points met FCC minimum technical performance standards.

The first quarter monitor tests met FCC minimum technical performance standards as well.

2. Inspections: During the first quarter, the Cable Office inspectors reported 98 violations to RCN for repair.

3. Reinspections: During the first quarter, CTC reinspected 1,269 violations from 2006 that RCN recently reported as corrected. The reinspections conducted during this period found that 9 percent had not been corrected as reported.

Verizon:

1. Testing: From February 16<sup>th</sup> to February 26<sup>th</sup>, Verizon performed Winter Proof Tests on its cable system. Verizon agreed to establish six test points in Montgomery County where CTC engineers could observe FCC proof tests of the Verizon system. At the time of the testing in February, only one site could be used to take measurements at 2:00 a.m., when Verizon prefers to conduct its tests. Verizon is switching to an all-digital system in July, and that system allows for daytime testing. The tests conducted in August should be able to be performed at all six sites. All test points met FCC minimum technical performance standards. *The Committee may wish to ask Verizon why only one site could be used to take measurements in February.*

2. Inspections: There were no violations cited for Verizon during the first quarter. This is due, in part, to the CTC inspectors working in some areas where the FiOS plan has not been activated or along arterial roadways where there are no subscriber service installations.

3. Reinspections: All fourth quarter violations have been properly repaired.

#### **IV. Other Issues**

##### **A. Engineering Contractual Services**

During the FY09 Cable Communications Plan budget worksessions, several questions arose regarding the Cable Office's contract with Columbia Telecommunications Corporation (CTC) and whether it is the most effective method of providing required services. The current contract with CTC provides the following services:

- Telecommunication engineering consulting in the areas of cable and communications services, public education and government (PEG) support, and wireless communications;
- Cable system construction inspection; and
- Cable system performance monitoring and testing.

The Cable Office has provided a detailed overview of CTC's functions, attached at © 14-31. *Committee staff may wish to ask Cable Office representatives whether they can identify specific functions that current County staff engineers may be able to perform. To the extent that the County has existing staff, can the County's contract with CTC be amended or revised?*

##### **B. Cable Office Structure and Staffing Complement**

During the FY09 Cable Communications Plan operating budget worksessions, several questions arose concerning the replacement of the Cable Administrator and potentially top-heavy management. The Cable Office was to report back to the Committee on its office structure and staffing complement. The Cable Office has submitted its report, attached at © 32-39, for the Committee's review.

The Cable Office currently has 10 positions, two of which are vacant. Four of these positions function as managers over six other staff positions. One manager is the Cable Administrator position (vacant), which functions as the director of the office. Three program managers perform either (1) professional work directing operational programs and/or managing and monitoring contracts of major scope, expenditure, and effect; or (2) professional staff work involving the analysis of nonstandard or unclear information, identification of various approaches and alternatives, and development of recommendations that affect a wide range of program management and subject matter program principles.

Council staff advises that the classification of Program Manager II differs from Program Manager I in the number of years' experience required and the required depth of knowledge in a

subject matter area. A Program Manager II generally exercises supervisory responsibility over other staff, but it is not required. This classification also may be appropriate depending on the nature and complexity of work performed. In other words, the classification may be appropriate within the Cable Office, regardless of whether the position is supervising others, if it is performing substantially complex work. Having three Program Managers may not indicate top-heavy management, per se, if these classifications are based solely or primarily on the complexity of the work performed in program areas.

*While the Cable Office did provide an organizational chart for the Department of Technology Services, it would be helpful to see an organizational chart of the Cable Office itself to help determine whether the Program Manager classification is appropriate for work and/or supervisory responsibilities that are currently being performed.*

### **C. Report Card**

The Cable Office has begun designing a reporting system to be used by all cable franchisees. The report card will establish a mechanism to look at all companies' compliance reports equitably. Data such as compliance information concerning phone answering, service appointments, and installation that has been deemed non-confidential, construction violations, Cable Office complaint statistics, and customer service representative availability are some of the topics that are being considered for inclusion. Once completed, the report will be posted on the Cable Office website.

### **D. Institutional Network (I-NET)**

Comcast has completed the construction of the sites that were mandated by the franchise. The County continues to contract with Comcast to build additional sites. The County is currently awaiting construction dates from Comcast for various sites. Sites that are currently waiting to be built are for HOC, MCPS, Montgomery College, Montgomery County community centers, and WSSC.

### **E. Rate Regulation**

Comcast filed FCC Forms 1205 and 1240 with the County on October 1, 2007. FCC Form 1205 regulates the installation and equipment rates and FCC Form 1240 regulates the basic cable rate. Comcast's FCC Forms 1205 and 1240 are currently under review by the County and its financial consultants.

#### This packet contains:

	<u>© Number</u>
FCC fact sheet, June 2000	1- 2
Memorandum from the Office of Cable and Communications Services	3- 8
E-mail complaint from Comcast customer with ongoing service problems	9-12
Complaint Data	13
Cable Office Report on Engineering Services Contract	14-31
Cable Office Report on Structure and Staffing	32-39

In order to exercise its authority to regulate basic cable rates and equipment, a franchising authority must be certified by the Commission. Unless notified otherwise by the Commission, a franchising authority's certification becomes effective 30 days after it is filed with the Commission. A franchising authority whose request for certification has been denied or revoked may petition the Commission for re-certification. In addition, a franchising authority that lacks the resources or legal authority to regulate basic cable service rates may petition the Commission to assume regulation, but the franchising authority must affirmatively demonstrate its inability to regulate to the Commission. The Commission will not intervene to regulate basic cable service rates should a franchising authority choose not to seek certification or choose not to request that the Commission assume jurisdiction. Appeals of local decisions will be heard by the Commission or by state or local courts, depending upon the subject matter involved.

The 1996 Act modified the regulation of cable programming services and the rate complaint process established under the 1992 Cable Act. Pursuant to the 1996 Act, the Commission's authority to regulate the rates charged for cable programming services (those are the channels that are not on cable system's basic tier and are not sold on a per-channel or per-program basis) was terminated for services provided after March 31, 1999. Therefore, the rates charged for cable programming services are determined by the cable company and the Commission does not have the authority to review these rates or to investigate allegations that the rates are excessive.

The 1996 Act did not modify the local franchising authority's ability to regulate basic cable rates. Therefore, complaints about basic cable rates should be filed with the franchise authority.

Rates for channels sold on a per-channel or per-program basis are not regulated.

## **CUSTOMER SERVICE GUIDELINES**

Pursuant to the 1992 Cable Act, the Commission adopted federal guidelines which provide a standard for improving the quality of customer service rendered by cable operators. These guidelines provide minimum levels of service which should be provided by a cable operator. The guidelines address issues such as the cable operator's communications with customers over the telephone, installations, service problems, changes in rates or service, billing practices and information that must be provided to all customers. **Although the standards were issued by the Commission, local franchising authorities are responsible for adopting and enforcing customer service standards. Franchising authorities may also adopt more stringent or additional standards with the consent of the cable operator or through enactment of a state or municipal law.**

### **Subscriber Calls to a Cable System**

Under the federal guidelines, each cable system must maintain a local, toll-free or collect-call telephone line available 24 hours a day, 7 days a week. During normal business hours, company representatives must be available to respond to customer inquiries. After normal business hours, (the hours during which most similar businesses in the community are open to serve customers), the cable system may use an answering service or machine so long as messages are answered the next business day. In addition, the cable system's customer service center and bill payment locations must be conveniently located and must be open at least during normal business hours and should include at least one night per week and/or some weekend hours.

A call to a cable system must be answered -- including time the caller is put on hold -- within 30 seconds after the connection is made. If the call is transferred, the transfer time may not exceed 30 seconds. Also, cable system customers may receive a busy signal no more than three percent of the time. Although no special equipment is required to measure telephone answering and hold time, cable operators should use their best efforts in documenting compliance. These requirements must be met 90 percent of the time, measured quarterly, under normal operating conditions.

### **Installations, Service Interruptions and Service Calls**

Federal guidelines state that standard installations -- which are those located up to 125 feet from the existing distribution system -- must be performed within seven days after an order has been placed. Except in situations beyond its control, the cable operator must begin working on a service interruption no later than 24 hours after being notified of the problem. A service interruption has occurred if picture or sound on one or more channels has been lost. The cable operator must begin to correct other service problems the next business day after learning of them. Cable operators may schedule appointments for installations and other service calls either at a specific time or, at a maximum, during a four-hour time block during normal business hours. Cable operators may also schedule service calls outside of normal business hours for the convenience of the customer. No appointment cancellations are permitted after the close of business on the business day prior to the scheduled appointment. If the cable installer or technician is running late and will not meet the specified appointment time, he or she must contact the customer and reschedule the appointment at the convenience of the subscriber. These requirements concerning installations, outages and service calls must ordinarily be met at least 95 percent of the time, measured quarterly, under normal operating conditions.

### **Changes in Rates or Service and Billing Practices**

Thirty days advance written notice (using any reasonable written means) must be given to subscribers and local franchising authorities of any changes in rates, programming services or channel positions, if the change is within the control of the cable operator. Cable operators are not required to provide prior notice of any rate change that is the result of a regulatory fee, franchise fee, or any other fee, tax, assessment, or charge of any kind imposed by a Federal agency, State, or franchising authority on the transaction between the operator and the subscriber. Cable system bills must be clear, concise and understandable, with full itemization. Cable operators should respond to written complaints about billing matters within 30 days. Refunds must be issued no later than either the customer's next billing cycle or 30 days following resolution of the request, whichever is earlier, or upon the return of equipment when service is terminated. Credits must be issued no later than the billing cycle following the determination that a credit is warranted.

### **Information to Customers**

The following information must be provided to customers at the time of installation and at least annually to all subscribers and at any time upon request: products and services offered; prices and options of programming services and conditions of subscription to programming and other services; installation and service maintenance policies; instructions on how to use the cable service; channel positions of programming carried on the system; and billing and complaint procedures, including the address and telephone number of the local franchising authority's office.

### **UNAUTHORIZED RECEPTION OF CABLE SERVICES**

The 1984 Cable Act provides damages and penalties of up to two years in prison and/or \$50,000 in fines to be assessed against anyone determined to be guilty either of the unauthorized interception or reception of cable television services or of the manufacture or distribution of equipment intended to be utilized for such a purpose. The Commission does not prosecute unauthorized reception of cable services. Rather, cable operators aggrieved by a violation may bring an action in a United States district court or in any other court of competent jurisdiction. Knowledge of violations should be reported directly to the cable system.

### **SIGNAL CARRIAGE REQUIREMENTS**

The 1992 Cable Act established new standards for television broadcast station signal carriage on cable systems. Under these rules, each local commercial television broadcast station was given the option of selecting mandatory carriage ("must-carry") or retransmission consent ("may carry") for each cable system serving the same market as the commercial television station. The market of a television station is established by its Area of Dominant Influence ("ADI"), as defined by Arbitron and/or modified by the Commission. Every county in the country is assigned to an ADI, and those cable systems and television stations in the same ADI are considered

**MFP Work Session  
June 30, 2008  
Office of Cable and Communications Services Report  
Cable Operator Quarterly Review**

**Prepared and Submitted By:** Department of Technology Services  
Office of Cable and Communication Services  
June 23, 2008

**Planning to Attend:** Steve Emanuel, CIO  
Amy Wilson, Cable Office  
Margie Williams, Cable Office

During the January 28, 2008 MFP work session, the committee asked the Cable Office to provide follow up information concerning: 1) Non-disclosure agreement with Verizon and 2) Re-inspection of construction violations.

Non disclosure agreement with Verizon: Verizon refused to allow our contract engineers to enter Verizon's premises and inspect Verizon's equipment unless the engineers signed a non-disclosure agreement ("NDA"). The NDA restricted the information that the engineers could share with the County and with third parties. Counsel for our engineering contractor could not accept the NDA proposed by Verizon. The County proposed a revised version of the Verizon NDA, but Verizon would not accept it. The County resolved the stalemate by having County employees perform the inspections.

Re-inspection of construction violations: The approval of the FY04 Cable Plan endorsed the MFP committee's recommendation to begin recovering a portion of the costs associated with re-inspection of construction violations. The basis for the action was that the County was providing quality control for the cable operators, a function that they themselves should be performing.

During the budget work sessions, a 10% threshold was determined to be a reasonable error factor. Anything above the 10% threshold would be considered excessive and the cable operator would reimburse the County for its costs associated with the re-inspection.

**I. Customer Service**

**A. Comcast:**

1. Rockville Call Center Closure: In April, Comcast began locating all Call Center personnel under one roof at its Tech Road facility in Silver Spring. Comcast believes that by bringing together all their customer service representatives, as well as their supervisors and managers, it will allow them to provide better ongoing training, quality

care and control, and ensure that everyone fully carries out the goal of great customer service.

The payment centers in Rockville and Gaithersburg are not affected.

**2. Call Center Customer Service Hours:** Beginning June 29, 2008, Comcast will adjust its call center hours for sales and billing inquiries only –service and repair hours will remain available 24 hours a day, 7 days a week.

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**3. Call Center Phone Problems:** Comcast continued to be challenged with issues that affected customer's availability to reach the Call Center. Comcast experienced a large outage that affected their internet users and the surge in callers to their Call Center to report the outages caused the system to overflow.

**4. Refunds:** Previous and current subscribers continue to complain about obtaining refunds when services are cancelled. The cable provider is required, per the Federal Cable Act, to refund any pre-paid amounts on the customer's account ledger.

In addition, we are receiving complaints that automatic debits continue after they disconnect service. This creates multiple issues for consumers including overdrafts on their bank account. Comcast has reported that refunds take at least 6 weeks to process, even when the error is on Comcast's part.

**5. Effective Competition:** As previously reported, Comcast has filed a Petition for Determination of Effective Competition with the FCC. If the Petition is granted, the County and the participating municipalities would lose the authority to regulate the rates for basic cable service, equipment and installation. Also, Comcast would not be required to provide uniform rates throughout the franchise area, could bundle services so that basic subscribers would have to subscribe to a higher tier of service in order to receive premium channels and may even be able to transfer subscribers to new tiers of service unless they affirmatively "opt-out".

The Petition is currently being reviewed by the FCC. The County filed a surreply to correct erroneous information in the opposition filed by Comcast. On September 7, 2007, Comcast filed a motion to strike the surreply of Montgomery County, Maryland, and the County submitted opposition to that motion. The FCC is under no deadline to act; it could issue an order next week, or not for years.

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provisions of the Notice purport to permit actions that violate federal law. Comcast has sent the notice out to customers.

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2. **Activations:** In May, the Silver Spring area was activated allowing consumers to take advantage of the bundled package that includes phone, internet & cable in that area.

3. **City of Rockville:** The Mayor and Council of Rockville approved the FTTP project on June 9<sup>th</sup> paving the way for a cable TV franchise by late summer.

## **II. Customer Complaints**

During the 1<sup>st</sup> quarter of 2008, the Cable Office received a total of 408 complaints. The complaints filed with our office remained relatively the same as last quarter. The complaint description breakdown is attached.

**A. Comcast:** Complaints have dropped since last quarter. Service, billing and telephone answering time remain the areas of most concern.

**B. RCN:** The complaints to the Cable Office have risen over the past quarter. Billing, service and telephone answering are major issues. Follow-up to the complainants and the Cable Office from RCN staff is poor.

**C. Verizon:** As Verizon's customer base increases, complaints to the Cable Office are increasing. Billing is the major issue as customers convert from only phone service to the bundled FiOS packages.

In addition we are getting complaints on a marketing campaign that Verizon ran in late 2007, offering a free flat screen TV. Customers have not received their television and receive

conflicting information when they speak with Verizon customer service representatives, as to when they should expect to receive it.

### III. Compliance: Telephone Answering, Installation & Service

A. **Comcast:** County staff has been meeting with Comcast over the past few months to discuss reporting and compliance. During the first quarter, Comcast phone answering statistics have improved, installation and service are in compliance.

B. **RCN:** RCN is in compliance for phone answering, installation and service.

C. **Verizon:** This is the first quarter that Verizon has been required to submit its reports with Montgomery County specific data. The data submitted previously has been for the entire region. Although the installation category needs improvement, the County is very encouraged with their performance, to date, in Montgomery County. We will continue to monitor their statistics and work with them to improve the customer experience.

### IV. Construction Violations

#### A. Comcast

1. **Testing:** Winter Proof Tests were performed February 10-12, 2008. Comcast met FCC performance standards at all sites except the Virginia Pines Terrace test point. We will comment on the other FCC required tests once Comcast provides the test results for our review.

The 1st quarter monitor tests found only one location where the signal level was below the FCC minimum standard. This problem has been reported to Comcast.

2. **Inspections:** Our inspectors reported 2,406 violations during the first quarter. This is approximately 25% less than reported the previous quarter.

Currently there are 4,514 outstanding violations. Per the terms of the franchise, Comcast is required to repair violations within 30 days of notification. Comcast's compliance with this requirement has steadily declined over the past year. Only 56% of the violations reported in 2007 were corrected within 30 days.

3. **Re-inspections:** The re-inspections conducted this period found that 17% of the third quarter 2007 violations reported as fixed had not been repaired. Since the re-inspections are above the accepted 10% margin of error, a penalty will be assessed.

#### B. RCN

1. **Testing:** The Winter Proof Tests were performed by RCN staff on February 25 and 26, 2008. Based on review of the measurements recorded, all test points met FCC minimum technical performance standards.

The 1st quarter monitor tests met FCC minimum technical performance standards.

2. **Inspections:** During the first quarter our inspectors reported 98 violations to RCN for repair.

During the first quarter, RCN did not report repair of any violations from either the current period or prior periods.

3. **Re-Inspections:** During the first quarter, CTC re-inspected 1,269 violations from 2006 that RCN recently reported has corrected. The re-inspections conducted this period found that 9% had not been corrected as reported.

### C. Verizon

1. **Testing:** From February 16<sup>th</sup> to February 26<sup>th</sup>, Verizon performed Winter Proof Tests on its cable system.

Verizon agreed to establish six test points in Montgomery County where CTC engineers could observe FCC proof tests of the Verizon system. At the time of the testing in February, only one site could be used to take measurements at 2:00 a.m. when Verizon prefers to conduct their tests. Verizon is switching to an all digital system in July and that system allows for daytime testing. The tests conducted in August should be able to be performed at all six sites. All test points met FCC minimum technical performance standards.

The tests performed in Verizon's headend were performed by a County engineer. The test met FCC minimum technical performance standards.

Monitor tests were performed by CTC engineers and County staff at four points on the system: the headend, Fire Station #30, and at two County employee's residences located in Clarksburg and Kensington. Based on those results all measurements met the minimum FCC performance standards.

2. **Inspections:** There were no violations cited for Verizon during the first quarter. This is due in fact to our inspectors working in areas with no FiOS plant.

3. **Re-Inspections:** All fourth quarter violations have been properly repaired.

## **V. Institutional Network (I-NET)**

Comcast has completed the construction of the sites that were mandated by the franchise.

The County continues to contract with Comcast to build additional sites. The County is currently awaiting construction dates from Comcast for various sites. Sites that are currently waiting to be constructed are for HOC, MCPS, Montgomery College, Montgomery County Community Centers and WSSC.

## **VI. Rate Regulation**

Comcast filed FCC Forms 1205 & 1240 with the County on October 1, 2007. FCC Form 1205, regulates the installation and equipment rates and FCC Form 1240 regulates the basic cable rate.

Comcast's FCC Form 1205 & 1240 are currently under review by the County and its financial consultants.

## **VII. Service Score Card**

The Cable Office has begun designing a reporting system that would be utilized by all cable franchisees. The report card would establish a mechanism to look at all companies compliance reports equitably.

Data such as compliance information concerning phone answering, service appointments and installation that has been deemed non-confidential, construction violations, cable office complaint statistics and customer service representative availability are some of the topics that are being considered for inclusion. Once completed, the report will be posted on the Cable Office website.

**John, Susan**

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**From:** Bokee, Joshua [REDACTED]  
**Sent:** Monday, June 16, 2008 10:53 AM  
**To:** Hondowicz, David  
**Cc:** Watkins, Keith; John, Susan  
**Subject:** RE: Comcast Internet  
**Importance:** High

David,

Thank you for your email. Our team is already looking into this matter and as soon as I have additional information I will be sure to provide you an update. In the meantime, please do not hesitate to contact me with any questions in the meantime. Thank you again.

**Joshua Bokee**

Director, Government Affairs  
 Montgomery & Frederick Counties  
 Comcast  
 20 West Gude Dr  
 Rockville, MD 20850

[REDACTED]  
 [REDACTED]  
 [REDACTED]

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**From:** Hondowicz, David [REDACTED]  
**Sent:** Monday, June 16, 2008 10:11 AM  
**To:** [REDACTED]  
**Cc:** Watkins, Keith; Bokee, Joshua; John, Susan  
**Subject:** RE: Comcast Internet

Dear Mr. Musick and Ms. Heys:

Thank you for copying Councilmember Andrews on your complaint to the County's Office of Cable and Communication Services about the ongoing problems you and your neighbors are having with Comcast. Your frustration with Comcast is very much appreciated. By copy of this note to you I am requesting that the Office of Cable and Communication Services keep Councilmember Andrews apprised of their inquiry into this matter. The Office of Cable and Communication Services is the Executive Branch office that has enforcement jurisdiction of County law and telecommunication franchise agreements. Also by copy of this note to you I am sharing your complaint with Comcast's Director of Customer Relations, Mr. Joshua Bokee, to request his assistance in resolving your complaint.

The County Council's Management & Fiscal Policy (MFP) Committee has regular meetings with all of the County's cable franchisees and the Office of Cable and Communication Services to review customer service matters. The Chair of the MFP Committee is at-large Councilmember Duchy Trachtenberg. I know that you have copied all Councilmembers, including Councilmember Trachtenberg, on your e-mail to the Office of Cable and Communication Services. I am also providing a copy of you e-mail to the member of the County Council's central staff who will put together the packet for the next MFP Committee meeting on cable matters, which is currently scheduled for Monday, June 30<sup>th</sup> at 2 p.m. in the 7<sup>th</sup> Floor Hearing Room of the County Council Office Building, 100 Maryland Avenue, in Rockville.

Again, thank you for bringing this matter to Councilmember Andrews' attention.

Best Wishes,  
 David Hondowicz  
 Office of Councilmember Phil Andrews

9

6/26/2008

-----Original Message-----

**From:** jamusick [redacted]

**Sent:** Friday, June 13, 2008 5:44 PM

**To:** Complaints, Catv

**Cc:** Ike Leggett; Andrews' Office, Councilmember; Berliner's Office, Councilmember; Elrich's Office, Councilmember; Ervin's Office, Councilmember; Floreen's Office, Councilmember; Knapp's Office, Councilmember; Leventhal's Office, Councilmember; Praisner's Office, Councilmember; Trachtenberg's Office, Councilmember

**Subject:** Comcast Internet

To whom it may concern:

Myself and my neighbors have been wrestling with Comcast Customer Service regarding our internet and television service for several weeks if not months. My most recent episode began over a week ago but my neighbors began complaining about intermittent signal and total signal loss more than a month ago.

Currently my internet service through Comcast is not working and has not been working for 1 full week. I was told by a technician today that the problem is a poor signal leading up to my house, and that everything in my house is set up correctly.

Comcast is not honoring their agreement to discount my bill by 10% for every 24 hour period, or portion thereof, after the first 24 hour period after the problem was reported until the problem is resolved. Today I spent over 25 minutes on hold only to be told by a Comcast Customer Service representative (Mercia) that she was not aware of any 10% discount policy for every 24 hour period until the problem was resolved. Instead I was offered a pro-rated discount (ie. the total monthly bill amount divided by the number of days in the month multiplied by the number of days my service was interrupted). In addition, I was told that a supervisor would be calling me back to discuss this issue; I never received that call.

Comcast is clearly providing a very poor service to it's Montgomery County residents. Unfortunately, Comcast is the only available option for broadband internet service at my residence. Comcast is not honoring the agreement to provide cable service to Montgomery County residents in at least the following three areas:

1. Not answering phone calls within 30 seconds (the wait time today was 25 minutes)
2. Not resolving service interruption within 24 hours
3. Not providing a 10% discount for every 24 hour period (or portion thereof) the problem is unresolved, after the first 24 hour period from when the problem was reported.

Please *compell* Comcast to fulfill the terms of their agreement with Montgomery County and it's residents.

[redacted]

(10)

**John, Susan**

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**From:** Mihill, Amanda  
**Sent:** Tuesday, June 10, 2008 10:13 AM  
**To:** John, Susan  
**Subject:** FW: On-going problems with Comcast  
**Importance:** High

-----Original Message-----

**From:** Bokee, Joshua [REDACTED]  
**Sent:** Tuesday, June 10, 2008 10:09 AM  
**To:** Hondowicz, David  
**Cc:** Watkins, Keith; Mihill, Amanda; Trachtenberg's Office, Councilmember  
**Subject:** RE: On-going problems with Comcast  
**Importance:** High

Mr. Hondowicz,

Thank you for your email and bringing this to my immediate attention. I am inquiring with our staff as to Ms. De Cleene's situation and as soon as I have additional information I will be sure to provide everyone with an update. As always, please do not hesitate to contact me in the meantime.

Thank you again.

*Joshua Bokee*

Director, Government Affairs  
 Montgomery & Frederick Counties  
 Comcast  
 20 West Gude Dr  
 Rockville, MD 20850

[REDACTED]

[REDACTED]

joshua.bokee@comcast.net [REDACTED]

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**From:** Hondowicz, David [REDACTED]  
**Sent:** Tuesday, June 10, 2008 9:21 AM  
**To:** Bokee, Joshua  
**Cc:** jcdecleene@comcast.net; Watkins, Keith; Mihill, Amanda; Trachtenberg's Office, Councilmember  
**Subject:** FW: On-going problems with Comcast

Dear Mr. Bokee:

Councilmember Andrews would appreciate your assistance in resolving Ms. De Cleene's complaint as soon as possible. Please note, as Ms. De Cleene indicates in her e-mail, that she and her husband have been having regular problems with their cable service for several years. I am also sharing this complaint with Councilmember Trachtenberg, Chair of the Management & Fiscal Policy Committee, for her information.

Thank you for your attention to this important matter. Please keep me apprised of the status of your inquiry so I can keep Councilmember Andrews updated.

Best Wishes,  
 David Hondowicz  
 Office of Councilmember Phil Andrews

6/26/2008

(11)

-----Original Message-----

**From:** John and Clare De Cleene [REDACTED]  
**Sent:** Monday, June 09, 2008 8:03 PM  
**To:** Hondowicz, David  
**Subject:** On-going problems with Comcast

This is in response to your request that I e-mail you with my Comcast problems. I do appreciate that you are responsive and do return my calls. I'm happy to confirm these on-going problems in an e-mail, but I hope you understand that the sound I included in my voice mail message is, of course, lost. So someone else reading this e-mail will not get the thrust of the problem and our frustration.

Comcast now has a full record of who I called. I just spent over 20 minutes on the phone with a very nice young woman who patiently copied down all of the contacts I attempted to make.

I don't have my records in front of my. I'm not going to get them because I have a broken foot and mobility is too challenging. So this is what I recall:

A Comcast technician (not contractor) came to our house on Sat, May 30. He checked our lines and splitters and whatever else and all was good. Said to watch it for 2 weeks and let them know if we continued to experience the intermittent problems (which we've had for the past 2-4 YEARS!). He suspected the problem is in the lines coming to the pole outside our home. Comcast tends to splice and splice and splice again just to try to get the problem when what they really need to do is dig up the lines and lay an entirely new cable. Now that makes sense to me, especially since our problems have been going on for YEARS! All the service calls, all the frustration, all the crap we put up with from Comcast has been for naught. Well, jeepers, let me guess. They don't want to pay the cost of digging up lines and replacing an entire line when they can splice and cross their fingers. That might be OK if Comcast didn't insist on full billing each month from intermittent service.

OK, I'll get off my rant and move on with the sequence.

The technician gave us the number of his supervisor, Mr. Wiley. I called him twice before tonight and on the phone he promised me a technician would call. I never got those calls. But I did get the feeling he was particularly skilled in getting a customer off his back and onto a subordinate staff member's back. I called Mr. Wiley tonight. His voice mailbox was full. Not surprising. That's one way of not having to deal with customers too.

So I called you and left a message with the sound of broken audio transmission on the TV.

Then I called Mr. Watkins and left a message also with the sound of broken audio transmission on the TV.

Then I called 2 Comcast customer service numbers I had in my records from previous communciations. No answers.

Then I called another Comcast customer service number ending in 4400. Twice. No answer. Twice.

Then I called the main Comcast number, forged through the annoying phone tree, got a representative, nice, to whom I explained I just wanted everything documented in my file. So Comcast has the details per my phone call tonight, June 9, at around 6:30 p.m.

I sure do have to work hard for service that is hugely expensive and entirely unreliable. I don't see hope on the horizon.

Clare De Cleene

(12)

6/26/2008

# Complaint Description Breakdown Timeframe: 1st QTR 2008

Comcast Complaints	VoIP				Internet Telephone				Service- Cable Line					
	Billing	Service	Service	Service	Service	Answw	Time	Reception	Construction	Marketing	Install	ability	Related	Other
296	109	118	27	96	74	64	3	8	7	5	31	9		
Complaint Percentage	36.8%	39.9%	9.1%	32.4%	25.0%	21.6%	1.0%	2.7%	2.4%	1.7%	10.5%	3.0%		
Total Issue Percentage	19.8%	21.4%	4.9%	17.4%	13.4%	11.6%	0.5%	1.5%	1.3%	0.9%	5.6%	1.6%		
Total Issues Generated 551													Total Issues per Complaint 1.9	

RCN Complaints	Telephone				Internet Telephone				Service- Cable Line					
	Billing	Service	Service	Service	Service	Answw	Time	Reception	Construction	Marketing	Install	ability	Related	Other
30	19	7	0	3	1	4	0	1	2	0	2	1		
Complaint Percentage	63.3%	23.3%	0.0%	10.0%	3.3%	13.3%	0.0%	3.3%	6.7%	0.0%	6.7%	3.3%		
Issue Percentage	47.5%	17.5%	0.0%	7.5%	2.5%	10.0%	0.0%	2.5%	5.0%	0.0%	5.0%	2.5%		
Total Issues Generated 40													Total Issues per Complaint 1.3	

Verizon Complaints	Internet				Telephone				Service- Cable Line					
	Billing	Service	Service	Service	Service	Answw	Time	Reception	Construction	Marketing	Install	ability	Related	Other
82	38	25	8	17	10	0	0	20	11	1	3	6		
Complaint Percentage	46.3%	30.5%	9.8%	20.7%	12.2%	0.0%	0.0%	24.4%	13.4%	1.2%	3.7%	7.3%		
Issue Percentage	27.3%	18.0%	5.8%	12.2%	7.2%	0.0%	0.0%	14.4%	7.9%	0.7%	2.2%	4.3%		
Total Issues Generated 139													Total Issues per Complaint 1.7	

**MFP Work Session  
June 30, 2008  
Engineering Contractual Services**

**Prepared and Submitted By:** Department of Technology Services  
Office of Cable and Communication Services  
June 23, 2008

**Planning to Attend:** Steve Emanuel, CIO  
Amy Wilson, Cable Office

During the FY09 Cable Plan work sessions, data regarding the County's engineering consulting, inspections and testing services contract was requested.

The current contract for engineering services was competitively awarded to Columbia Telecommunications Corporation (CTC) in 2004.

Under the provisions of the contract, the following services are provided:

- Telecommunication Engineering Consulting in the areas of cable and communications services; Public Education and Government (PEG) support; and wireless communications;
- Cable System Construction Inspection; and
- Cable System Performance Monitoring and Testing.

This outsourcing model, covering these types of activities, is extremely common. Services of this type are changing at a rapid pace. As such, the types of skills, number of resources and types of services vary continuously, making contracted services a more efficient use of operational funding in this area. Contract services allow the Cable Office to respond to the variety of engineering services, adjust quickly for increases in need and accomplish tasks in a timely fashion.

Changes (in regulation, technology, and carrier deployment plans) require constant changes in staffing levels of qualified, trained professionals, under the direction of licensed professional engineers. Contracting these tasks enables constant changes in staffing levels and expertise at minimal risk to the County while realizing benefits in the following areas:

- Public safety
- Consumer protection
- Right-of-way protection
- Tower siting enforcement
- Public interest video and PEG

**Overview of Services:**

1. Consulting, network planning and franchise negotiations:

CTC provides advice and counsel on system upgrades proposed and activated by the franchisees; detailed technical evaluations of implementation of new services; the state of the systems at critical mid-term evaluation periods negotiated in the franchise agreements; and to address significant technical performance issues as they arise, such as the problems that can lead to picture quality complaints most recently reported for digital signals in complaints as "tiling" and "freezing-up" of programming.

The contract with CTC provides for engineering support to the County during cable franchise negotiations and renewals. Engineering support is essential in the context of a franchising process because of the technical nature of many of the protections we seek to negotiate for the County and consumers. In addition, expert engineering support has contributed to such key technical achievements as the County's fiber-optic Institutional Network and PEG capabilities.

In the past few years, CTC has provided expert engineering services to the County for negotiations with Comcast, RCN, Verizon, and Cavalier. In earlier years, CTC provided similar support in negotiations with Cable TV Montgomery and Prime Potomac.

In franchise renewal, modifications, and review of franchise applications for new market entrants such as Verizon, and more recently, Cavalier, CTC conducts an in-depth analysis of the technical qualifications of operators and provides objective professional documentation of the Franchisees ability to deliver the services that they propose to offer to County residents. This work is critical to meet the County's legal obligation of a due diligence review of these technical issues. CTC reviews system-level and detailed street level construction design to verify that the system is designed to the standards specified in the franchise agreements.

When technical performance problems arise, as they have on occasions in the past, without detailed technical documentation of the problems, the County may be unable to effectively take formal legal action to enforce the technical requirements negotiated in our franchise agreements. With this documentation, we have been able to address many technical problems as they have arisen, precluding the need for formal action and saving the County the costly and time-consuming activities related to litigation.

CTC also provides expert witness reports and testimony to assist the County in defending itself against lawsuits.

Overall, without the unique professional support from well qualified engineering consultants, the County would be unable to ascertain if the Franchisees are meeting their franchise obligations to provide the services the County negotiated for our residents.

## 2. Engineering assistance regarding consumer protection on communications issues.

The County also utilizes this contract to procure expert technical assistance with consumer education and protection matters relating to communications services. Consumers are justifiably confused by the complex range of existing and emerging applications, technologies, and services. CTC assists County staff in preparing technical reports, presentations, and consumer

information guides on topics ranging from digital cable to Internet to cellular and landline phone service.

3. Engineering for PEG access and other public interest video projects.

Under this contract, the County procures expert video engineering services related to technical aspects of our Public, Educational, and Government (PEG) cable access network. CTC has performed design and planning tasks on a range of projects including:

- Design of digital PEG facility interconnection;
- Design, installation, and maintenance of the Technical Operations Center for monitoring PEG signal quality and handoff of PEG programming feeds to RCN and Verizon;
- Testing of PEG programming feeds to the Comcast headend;
- Development of technical specifications and scope of work for bid of the County's video server;
- Troubleshooting and facilitating correction of PEG signal quality problems;
- Redesign of the COB 3rd floor COB hearing room for video production;
- Audio system improvements for the COB 7th floor hearing room;
- Design and installation of automated camera system for the COB 7th floor hearing room; and
- Design, coordination, and installation oversight of programming feeds from locations in the EOB to the local broadcast TV stations for press conferences, traffic cameras, and to facilitate live broadcasts from the EOB to the stations over fiber optic links.

4. Tower siting services to facilitate deployment of services and minimize construction of new towers and monopoles.

The County Code and Zoning Ordinance create a telecommunications Transmission Facilities Coordinating Group (TFCG) to oversee wireless facility deployment in the County. Under this structure, a Tower Coordinator administers the TFCG's review process of each application to site new wireless facilities in the County. CTC serves as Tower Coordinator under its contract with the County.

Application fees paid by wireless carriers for the TFCG's review offset a portion of the costs for the Tower Coordinator work.

CTC's work is intended to encourage placement of new antennas on existing structures and to minimize the need for construction of new towers and monopoles throughout the County. Since it began this work, CTC has reviewed, evaluated, and provided recommendations with respect to 1,187 applications. Appendix A summarizes statistics regarding the results of TFCG application reviews.

A number of County agencies and boards rely on the engineering analysis CTC provides in the tower siting process, including the Department of Permitting Services, Board of Appeals, and Planning Board. Those organizations depend on our engineering consultants for information

upon which they will, in part, make decisions about cases pending review for special exception or mandatory referral.

We also use CTC for expert engineering advice in addressing technical issues related to controversial tower siting cases. For example, CTC has recently provided necessary engineering analysis with respect to proposals for:

- A 120' high monopole at the West Hillanddale Swim Club. The Hearing Examiner has recommended this application be denied
- New AM broadcast radio towers, such as a proposed set of five 240' high broadcast towers in Damascus that ultimately did not go forward
- New, tall towers requested by the State

In each of these cases, CTC assisted with identification of existing, alternative sites where the antennas could be placed rather than building these new, massive towers.

CTC also maintains a large database of records about the County's antenna sitings and routinely answer inquiries from county agencies about safety of sitings and ownership of towers for tax billing purposes.

CTC also serves as a point of contact for the wireless companies planning to site facilities in the County and for residents and community groups that are concerned about proposed new towers.

5. Investigation and resolution of consumer technical complaints.

We rely on our engineering consultants to address continuing technical issues that impact subscriber services and to assist in resolving subscriber complaints of a technical nature. At our request, the consultants investigate complaints from residents regarding identification of owners of temporary cables, restoration of work areas, signal quality problems (such as digital "tiling" and picture freezing, signal ingress), and line extension disputes for service to new areas not presently served.

6. Technical inspection and testing for public safety, consumer protection, and cable franchise enforcement.

The County maintains a comprehensive program to ensure franchisees' compliance with their obligations to our subscribers and residents. CTC inspects cable plant and facilities and tests system performance to ensure that construction, maintenance, and operation comply with the terms and conditions of the franchise agreements -- and to document violations of public safety and system performance in support of enforcement action where necessary. Appendix B lists and describes the federal and local codes and regulations that are enforced through the inspection process.

The inspectors locate and report violations in order to reduce hazards to public safety in the right-of-way and to maintain the cable systems such that County consumers receive the services for which they pay.

In the past year alone, the inspectors reported more than 11,000 violations. Appendix C summarizes the types of violations typical of those that are identified and documented by the inspectors, and, by way of example, provides descriptions and photographs of recent violations in the Kensington area. The violation reports were sent to the cable operators for repair.

The inspection program ensures and verifies that the cable operators correct public safety and performance violations. This program not only ensures and speeds correction of these problems, but also reduces the number of violations that are created in the first place by motivating the operators to better maintain their plant.

The performance testing portion of the program is comprised of a series of system performance tests including:

- Oversight of the Franchisee's semi-annual sampling of signal quality required by the FCC. CTC verifies that the tests are properly conducted in compliance with the FCC rules and that the results are accurately reported to the County;
- Quarterly monitor tests to collect additional data on system performance between the two semi-annual proof test periods. In addition to providing oversight to the Franchisee's FCC obligated semi-annual sampling of signal quality on their systems, CTC engineers perform a subset of the FCC tests at a number of locations across the systems to verify that the operators maintain their systems to meet franchise and minimum technical performance standards on all analog programming channels continually as required by the FCC. This ensures that the operators maintain the system to provide high quality services year-round throughout the service areas beyond simply at the same selected test locations measured just twice a year;
- Acceptance tests of newly built and activated segments of the system. Newly constructed system segments are tested by CTC to document that the plant is constructed as designed and is capable of providing the services as promised to our residents, and;
- Periodic tests of the fiber optic connections from the public, educational, and government programming ("PEG") facilities to the cable system central programming distribution center or "headend." These tests ensure that the PEG signal quality is equivalent to that of the commercial programming on the system and that the franchise requirements for Franchisee support for the PEG programming technical requirements are maintained.

**Appendix A**  
**STATUS OF APPLICATIONS FOR TELECOMMUNICATIONS FACILITY**  
**COORDINATION PROCESSED THROUGH JUNE 4, 2008**

<u>Description</u>	<u>Number</u>	<u>% of Received</u>	<u>% Recommended</u>
Total Applications Received	1187		
Total Recommended	1036		87%
<b><u>BREAKDOWN BY ZONING CATEGORY</u></b>			
Existing Bldgs/Structures/Monopoles-By Right	1047	88%	
<i>Recommended</i>	948		91%
New Monopoles -By Right	22	2%	
<i>Recommended</i>	15		68%
New Monopole with Public Use -(Mandatory Referral)	66	6%	
<i>Recommended</i>	42		64%
New Monopoles/Towers -(Special Exception)	52	4%	
<i>Recommended</i>	31		60%
<b><u>BREAKDOWN BY OWNERSHIP CATEGORY</u></b>			
Private property	938	79%	
<i>Recommended</i>	843		90%
Public property	249	21%	
<i>Recommended</i>	193		78%

**MONTGOMERY COUNTY, MARYLAND  
TELECOMMUNICATIONS TRANSMISSION FACILITIES COORDINATING GROUP  
APPLICATIONS RECEIVED AS OF JUNE 4, 2008**

	Number Received	Number Withdrawn	Pending	Tabled or Denied	Number Recommended	Percent Recommended
<b>All Applications</b>	1187	103	26	22	1036	87%
<b>Existing Structures</b>	1047	67	25	7	948	91%
Private Property	864	43	20	4	797	92%
Public Property	183	24	5	3	151	83%
<b>New Monopoles/ Towers</b>	140	36	1	15	88	63%
Private Property (By Right)	22	7	0	0	15	68%
Private Property (Special Exception)	52	15	0	6	31	60%
Public Property	66	14	1	9	42	64%

Results: To date, 1,187 applications have been submitted to the Tower Committee for review, of which 1,036 were recommended for approval on a total of 400 different sites in the county. Maximum use of existing facilities has been achieved, and new monopoles have been designed to accommodate collocation by other future carriers. Of those recommended for approval:

- 843 (81%) were on private land;
- 193 (19%) were on public land;
- 948 (92%) were attached to existing structures (commercial buildings, churches, water towers);
- 88 recommendations to erect new monopoles: 15 "by right"; 42 in conjunction with a public use; and just 31 required Special Exception hearings;
- 47% of the new monopoles are already being used for co-location by other carriers: 7 have two carriers, 14 have three carriers, 7 have four carriers, 8 have five carriers, 4 have six carriers, and 1 has seven carriers.

**Appendix B: Safety codes and other authorities that are enforced through the inspection process.**

The County's inspection process is designed to verify cable operator compliance with relevant national and local standards and codes and generally accepted industry practices and procedures.

- County Code: Chapter 8A
- FCC Cable Performance Standards: Code of Federal Regulations, Title 47, Chapter 1, Subchapter 76-Multichannel Video and Cable Television Service, Subpart K - Technical Standards
- County Franchise Agreements
  1. Cable franchise agreement with Starpower, approved August 3, 1999
  2. Cable franchise agreement with SBC Media Ventures, LP, approved June 10, 1998, as amended (currently held by Comcast)
  3. Cable franchise agreement with Verizon Maryland Inc., approved November 28, 2006
- National Electric Safety Code, Institute of Electrical and Electronics Engineers, Inc., 2002 and revisions of 2005. This national code provides standards and work rules to protect against hazards from the installation, maintenance, and operation of electrical systems and communications lines, and sets rules for construction operation and maintenance of communications and electrical lines and equipment;
- National Electrical Code, National Fire Protection Association, Inc., 2002 and revisions of 2005. This national code establishes rules for the safe installation of electrical conductors and equipment;
- The Blue Book Manual of Construction Procedures., Telcordia, 1998. This manual provides uniform procedures for construction of communications lines where there are telephone lines and equipment;
- Recommended Practices for Coaxial Cable Construction and Testing, Society of Cable Telecommunications Engineers, 1996. This publication, which is universally accepted within the cable industry, sets uniform procedures and practices for the placement of aerial and underground cable television plant, equipment, and equipment housings; and
- From the Tap to Home: The SCTE Installation Manual, Society of Cable Telecommunications Engineers, 2001. This publication, which is also universally accepted within the cable industry, provides uniform procedures for service connections (drops) and installation at subscriber premises.

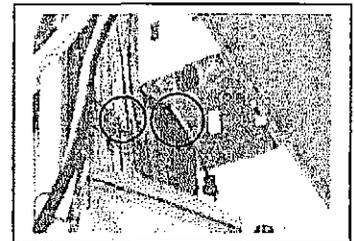
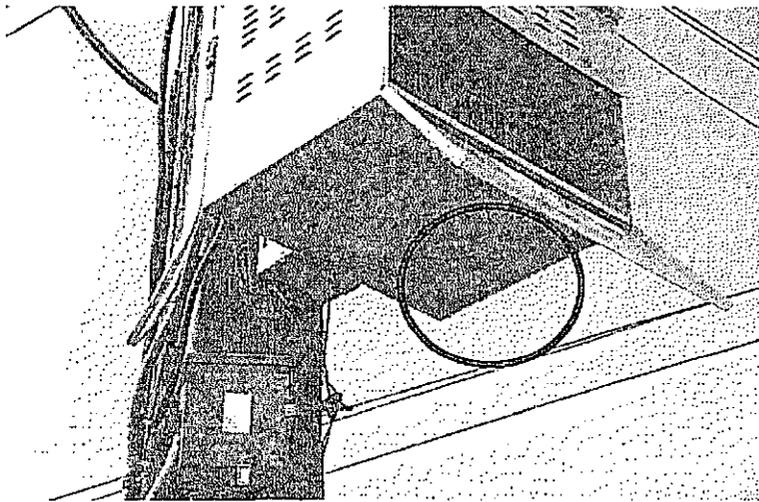
**Appendix C: Summary of types of violations reported by CTC inspectors and illustrative recent examples in Kensington area.**

CTC inspectors identify and document a wide variety of public safety and franchise violations that need correcting by the cable operators. Violations that present an immediate hazard to the public are forwarded to the cable operators for prompt resolution. Others are routinely reported for correction as part of the continuing program of enforcement and verification that the problems have been fixed.

The following are examples of typical violations identified within the past few weeks in the Kensington area. These violations are typical of the thousands of violations our program reports annually to the operators for repair.

**1. Bonding and Grounding**

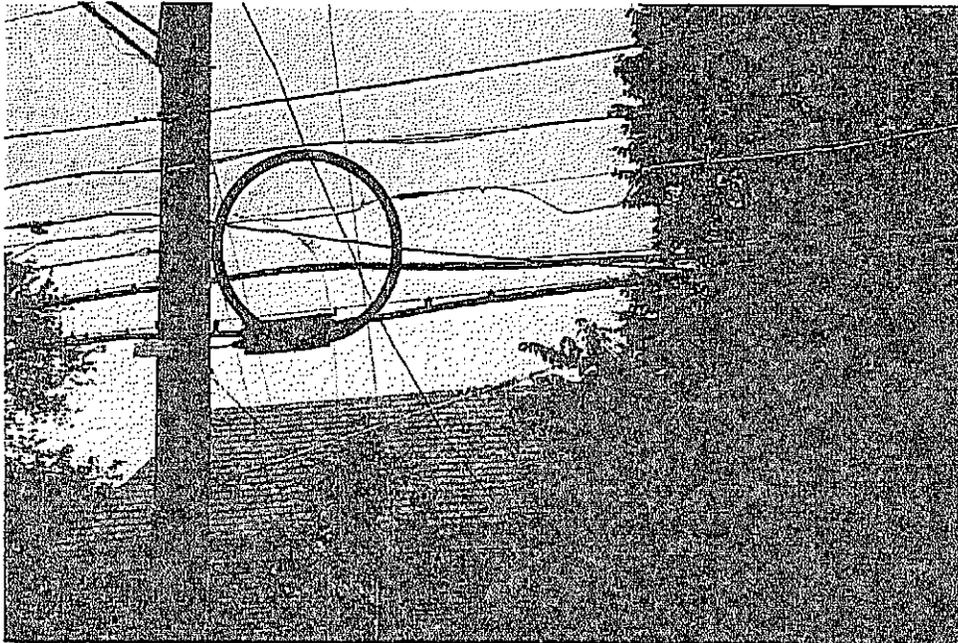
The cable system must be properly grounded to safely reduce electrical hazards. Lightning strikes, power surges, and direct contact of the cable system with electrical lines can create excessive electricity or surges on the system which can result in electrical shock, damage to the cable plant or subscriber equipment, and although a rare occurrence, even electrocution. The photo below shows a power supply on Amherst Avenue Wheaton, that should be grounded but the ground wire from the electronics is not connected to the ground wire. Additionally, the door to the back-up batteries stored for use in the event of a power failure is open and unsecured.



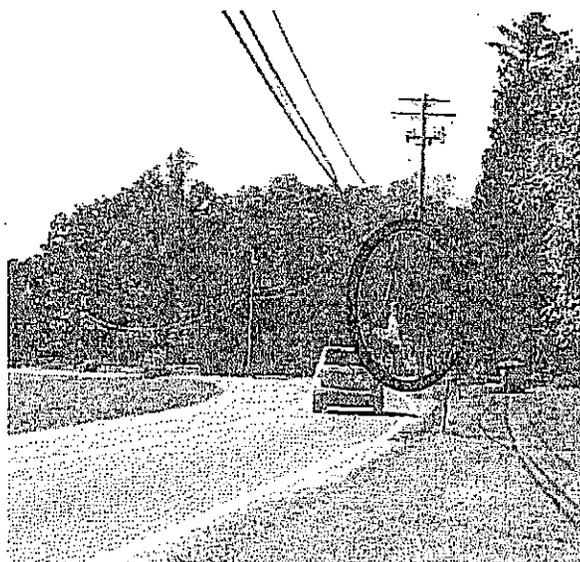
**2. Lashing**

In areas where construction of the cable system is on utility poles, the cables are attached to steel cables or "strand" which is bolted to the poles. A strong thin wire is then used to lash the cable to the strand which then supports the weight of the cables. If the lashing wire breaks and unravels, it usually causes the cable to fall from its supporting strand toward the ground, thereby reducing clearances over streets, driveways, or sidewalks, and presenting hazards to vehicular and pedestrian traffic. Improper lashing can also result in undue stress from the weight of the

cables on connectors, potentially resulting in signal quality problems. The photo below shows a case of broken lashing as well as the strand itself broken for RCN's plant. The strand falls to the ground behind the fence along University Blvd at Williamsburg onto private property. The cable plant falls below all other cables on the poles supported only by the cable itself.



The two photos below illustrate results from broken lashing. Both photos are at two different locations along New Hampshire Avenue. In the photo on the left taken at Ridgcroft Drive in Sunshine, the Fire Department has tagged falling Comcast cables to alert traffic to the hazard of the low cables. The photo on the right shows Verizon cables where broken lashing has resulted in cables falling over the roadway so low that auto traffic just passes under them.

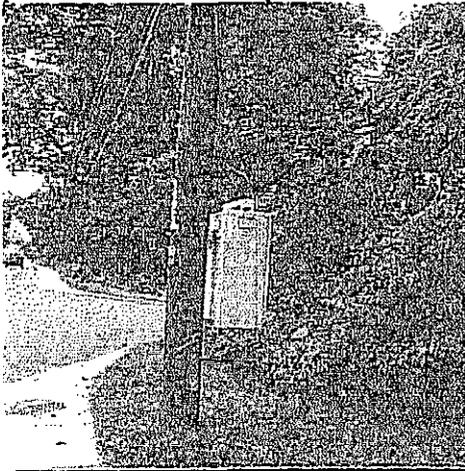


### 3. Guying

In aerial construction, guy wires are necessary to provide additional support to the utility pole where the weight of cables on the poles is greater than can be safely supported by the poles alone. Guy wires are not only required for poles that support a large number of cables, but also for poles supporting very long spans of cable, and on corners or at the end-of-lines where there is additional stress on the poles.

Guy wires help to keep poles straight and upright and minimize hazards to public safety from poles leaning into lanes of traffic under the great weight of the numerous cables attached to them. Missing or improperly installed guy wires can also increase the potential for poles breaking and falling from the extra stress of high winds, damage from vehicular accidents, or the extra weight of ice accumulation during winter storms, for example.

The steel cables used to guy the poles must be properly bolted to the poles and anchored in the ground at prescribed tensions. At ground level, the guy wire itself is required to be covered with a plastic "guard" to alert pedestrians to the presence of the wire and protect against injury from walking or running into the wire by accident. In the photo below a Verizon guy wire awaits installation for several months along Connecticut Avenue in Kensington. The guy is taped to the pole with electrical tape.



### 4. Guy Wire Anchors

Guy wire anchors secure a guy wire into the ground. If the anchors are loose or improperly installed, they fail to properly maintain the tension required to add the desired support. In some cases guy anchors may be missing altogether. These violations are of concern because they can create safety hazards.

### 5. Clearances

Clearances of the cables from the ground, streets and sidewalks, and other utilities are specified in national codes. All cables on the utility poles and underground should be placed in a manner to avoid contact with one another. The codes establish acceptable distances between power, telephone, and other communications lines placed on the same poles and in the same area in the public rights-of-way or public utility easements.

Clearance requirements arise, in part, from safety concerns. Inadequate distance between cable television lines and power utility lines can result in electrical arcing between the two or unwanted electrical current on the cable lines, which can cause fires or electrical shock. Improper clearance can cause workers to accidentally come in contact with high power electrical lines when working on the cable system, which may result in severe injury and has even resulted in death. Improper clearances can also result in cables rubbing together, deteriorating the cable's protective covering, and causing poor signal quality and service outages. Adequate clearances of cables over streets or sidewalks prevents passing vehicles from snagging the lines and pulling or breaking them, or low hanging lines obstructing pedestrian traffic.

In the photo below taken at Amherst and Windham Lane, Verizon and Comcast cables are so low crossing a residents driveway that they have been secured with ties to the RCN cable and strand above so as to raise the cables high enough so the homeowners can drive their vehicles under them to their garage. The clearance issues are related to a pole replacement where the franchisees have not relocated their facilities to the new pole (illustrated below).

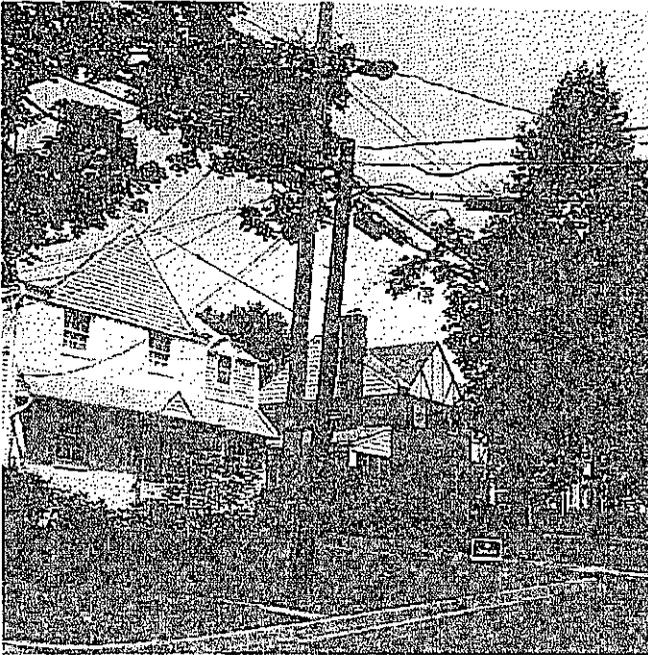


## 6. Wreckout

In some franchise agreements or local codes, there are requirements for removing unused equipment and cables or the "wreckout" of unwanted plant. This keeps the rights-of-way free of unnecessary clutter and maintains a neat appearance of the cable plant in the community. When

the old equipment is likely to present a source of injury to the public, its removal maintains a safer environment and minimizes the liability to the local government and the cable operator.

A new utility pole has been installed at Amherst where the Verizon and Comcast cables are still attached to the old pole awaiting relocation to the new one. The result is the clearance problems shown above and the support for the weight of the cables on the old pole is only now rope tying the old pole to the new.



## **7. Underground Plant or Equipment**

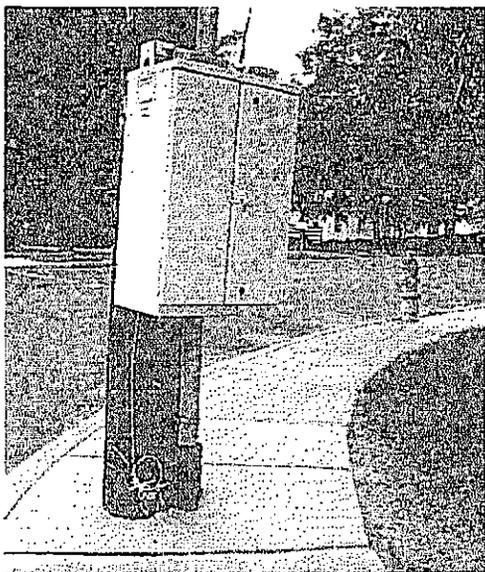
In areas of new construction, we often find exposed, broken, or missing plant or equipment. Where public utilities are provided underground, cable and related equipment are also required to be provided underground. Cables are to be buried at specified depths and at specified distances from public utilities. When repairs or replacement may be necessary to the cables, temporary exposed "jumper" cables are often installed to maintain service while work is scheduled to properly install and bury the new cables. When this occurs, the cables are usually required to be marked with tape or cones to alert the public to the hazard and to protect the public from injury. Temporary cables are required to be properly installed as soon as possible. When these conditions are found and have been in place for some time or are unprotected, they are reported as violations.

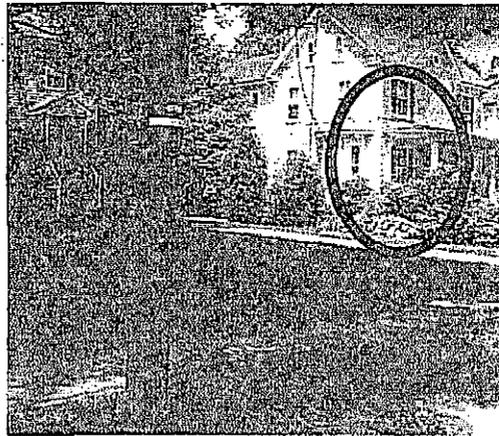
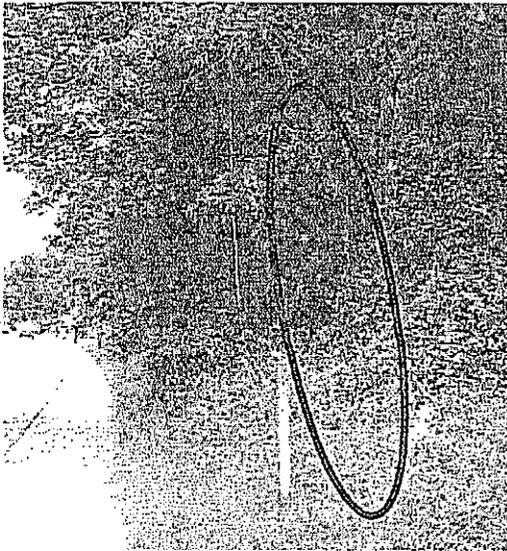
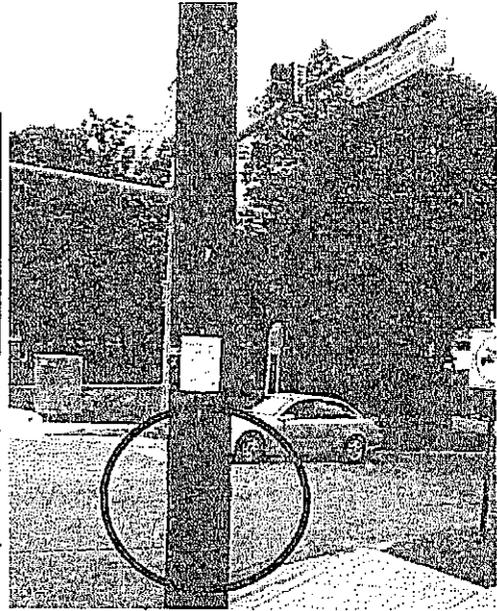
The pedestal is an enclosure for buried plant equipment. Equipment is housed in vaults or pedestals buried in the ground and locked for security and safety. Violations in this category include enclosures that are not installed correctly, have missing covers or doors, or do not have sufficient capacity for the equipment they contain and cannot be properly closed. Pedestals can also be damaged by automobiles or other accidents which break the covers or the bases. Problems found with pedestal installation or maintenance issues are also reported as violations.

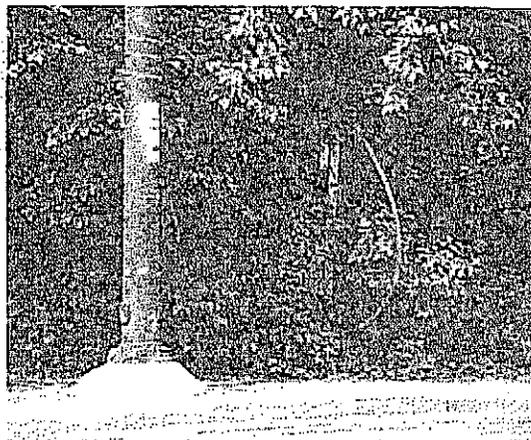
In the photos below a Verizon FiOS wiring cabinet has been installed blocking a sidewalk (photo on the left) and a temporary Comcast drop cable lies hanging from the aerial plant and exposed on the ground across a residents driveway and in front of steps to the front door.

### 8. Other Violations

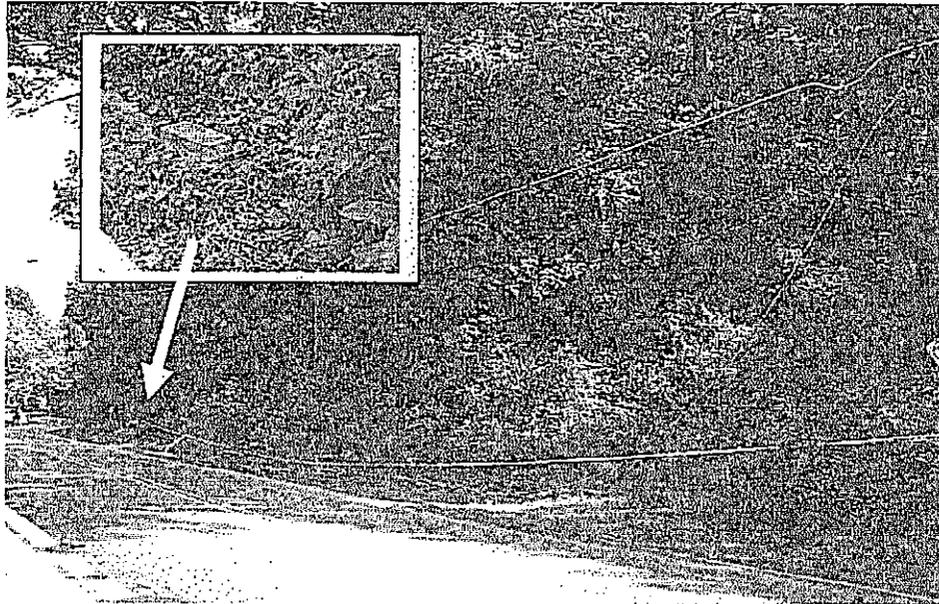
The general physical appearance and condition of the plant is important for most communities in addition to maintaining general industry standards. Depending on the specific problem, different authorities cover these kinds of "housekeeping" issues when they may become safety problems. Dangling cables unsecured to poles, strand, or supporting "messenger" wire can be a nuisance to residents as well as making it difficult to do yard work, and can result in service outages. For example, cables changing from aerial to underground plant often come loose from poles and sag into yards or roadways where they can be inadvertently snagged by passing vehicles or lawn mowing equipment. This can damage the cables and result in picture quality problems or outages. Poor maintenance of cables results in both immediate and future problems. The photos below are typical of problems that appear to becoming quite prevalent in the community as old cables are replaced with competitors cables. Where subscribers have switched from either Comcast to Verizon or from Verizon copper wires to fiber wires at the residence, many locations have the old drop left dangling from the poles, coiled around a climbing step on the pole, or coiled and left exposed in yards, across sidewalks, etc. At many other locations the new conduit for Verizon's FiOS fiber cables are blocking sidewalks and streets, as can be seen in the photos below.







In the photo below, Comcast cables and equipment lie on the ground along MacArthur Boulevard in Cabin John, evidently still awaiting reattachment to the poles where it appears that the strand had broken. The Fire Department yellow tape alerts passersby to the hazard.



## 9. Residential Drop-Related Violations

"Drops" are the wires that connect the subscriber homes to the cable system on the street. Under the NEC, drops are required to meet specific standards for attachment to the homes. There are requirements for attachment to the residence including clearance from the ground for aerial cable or depth of buried cable, and bonding to the common grounding electrode to ensure that the electrical systems serving the residence maintain the same ground potential. This protects against shock, equipment damage, and fire hazards. A drop violation may include drops from aerial plant down a utility pole to an underground service connection not being secured to the pole, which may become inadvertently snagged and disconnected.

Safety is a significant concern in installation and maintenance of drops. For example, a common practice is for an operator to place a temporary unburied drop to a home serviced by underground plant. This can also occur when the ground is frozen or snow covered and cannot practically be buried at the time of installation. Although this may be acceptable for a few days, when left exposed for weeks, it is not only annoying to subscribers but presents a safety hazard in the public rights-of-way. These drops, at a minimum should be marked to alert passersby to the potential hazard. These situations are also reported as violations.



### **10. Restoration Violations**

Federal law provides for restoration of damage or disturbance to the grounds or property which may have occurred during construction. This includes roadways that may have sunken or heaved from underground boring for cable placement under streets, and damage to lawns, driveways, landscaping and tree roots. The operator is required to restore the work site to approximately the same condition as it was prior to the construction work. In addition to franchise requirements in §5(c), the Cable Communications Act of 1984, as amended, §621(a) [47 U.S.C. §541(a)] also covers restoration of the work area.

**MFP Work Session  
June 30, 2008  
Cable Office Structure and Staffing Complement**

**Prepared and Submitted By:** Department of Technology Services  
Office of Cable and Communication Services  
June 23, 2008

**Planning to Attend:** Steve Emanuel, CIO  
Amy Wilson, Cable Office  
Donna Keating, Cable Office

**MISSION & SCOPE:** The mission of the Office of Cable and Communication Services (Cable Office) is to manage the County's cable television franchise agreements and the cable special revenue fund to ensure that cable services in Montgomery County are of high quality; that applicable consumer protection is enforced; that quality Public, Educational, and Governmental (PEG) programming is provided; and that related telecommunication issues are coordinated and monitored.

Responsibilities include:

- Ensuring cable operator compliance with franchise financial, technical, and construction requirements and managing franchise renewal and transfer process;
- Investigating and resolving subscriber complaints;
- Preparing the annual Cable Communications Plan;
- Collecting franchise fees, grants, and other payments to the County;
- Distributing franchise fees, grants, and other payments to the participating municipal co-franchisors;
- Supporting the Cable and Communications Advisory Committee;
- Resolving issues regarding cable and communications technology for Montgomery County government;
- Monitoring and commenting on changes in State and Federal telecom regulations, rate structure, and related legislative issues;
- Encouraging entry of competitive providers of telecommunication services and negotiating and reviewing proposed franchises for use of the public right-of-way;
- Directing and coordinating the Transmission Facilities Coordinating Group (Tower Committee);
- Administering the contracts to provide for public access to cable production services;
- Managing County Cable Montgomery, the government access channel; and
- Facilitating collaboration among the local PEG operators in delivering and promoting the most effective public access media services, educational and government programming.

**CABLE OFFICE STRUCTURE:** The Cable Office is part of the CIO's office. The Cable Administrator reports directly to the CIO (see attached DTS organization chart).

The Cable Office has been temporarily reorganized into two teams lead by acting team managers. Administration and Franchising Services includes franchise negotiations and oversight, budgets, accounts payable and receivables, legislative reporting, policies and procedures, consumer protection and tower transmission siting coordination. External Communications and Outreach Services includes all production services including the Technical Operations Center, television program services, CCM, PEG Network Management and Oversight (includes the following studies - Organizational Review of Montgomery County's Public, Education and Government Access Channels and the PEG Network Digital Study), web services and customer education and outreach. When the Cable Administrator vacancy is filled, the organizational structure of the cable office will be reviewed and changes may be implemented.

**CABLE OFFICE STAFFING COMPLEMENT (10wys):**

- 1 Full-time Manager II (Vacant)
- 3 Full-time Program Manager II
- 1 Full-time Investigator III
- 1 Full-time Administrative Specialist II
- 2 Full-time Info Technology Specialist III (Engineer) (1 Vacant)
- 1 Full-time Info Technology Specialist I
- 1 Full-time Office Services Coordinator

**Manager II**

Job Class Overview: A position in this class functions as the director of an organizational unit of a major department/agency; delegated full line management responsibility for planning, development, and implementation of broad, operational, mission-related departmental/agency programs, functions, and/or services having critical impact on the accomplishment of departmental/agency goals and objectives; organizational unit managed represents a moderate to large workforce comprised of managers, supervisors, and/or individual contributors; allocation of resources is determined from among multiple, competing needs of diverse programs, functions, and services within the sub-units of the organizational unit managed; budgeted resources are balanced with the mission and objectives of the organization managed; policy determinations and operational decisions of major scope and impact are made in conjunction with the department director. Management focus is on strategic (annual/multi-year) planning and tactical (day-to-day) actions with emphasis on strategic business management (policy making, budgeting, staffing, resources allocation).

Current responsibilities include, but not limited to:

- Strategic planning, policy development and coordination of cable, wireless, and Public Rights-of-Way (PROW) management. Activities include but not limited to: Monitor and comment on Federal, State and local Legislation, Rules, Orders and legal filings related to the County's cable, wireless and PROW management activities; Program development; Prepare and present reports (written and orally) to elected officials, advisory committees and others on cable and telecommunications related activities.
- Oversight of the development, implementation and monitoring of the annual Cable Plan (Fiscal Oversight)

- Cable Franchising Management: Negotiate cable franchise agreements for overbuilds, transfers, renewals and modifications; Monitor and enforce cable operators' compliance to the terms of the franchises; Provide regulatory oversight on matters such as franchising, rate regulation and consumer protection; Develop, implement and monitor Executive and Legislative orders/laws effecting cable franchising activities.
- Rights-of-Way Management: Develop, implement and monitor Executive and Legislative orders/laws affecting Telecom Franchising and compensation for use of the Public Rights-of-Ways (PROW); Provide oversight and ensure compliance of franchise agreements with telecom providers.
- Oversight of the County's Public, Education and Government (PEG) cable access channels; Oversight of the County's access channel (County Cable Montgomery (CCM)); Oversight of the PEG Network (work group comprised of members from the County's PEG channel operations); Develop, implement, and monitor compliance with legislation, orders, rules etc. that relate to PEG activities; Oversight of the integration of new cable technologies in existing operating systems to deliver program content as they emerge; Oversight of the development of identified specific uses of broadband technology such as the Internet, video streaming, video on demand, community participation, archiving, and interactive applications to inform and educate our community and promote civic engagement.
- Management of the County's tower coordination process: Serve as Chair of the Transmission Facilities Coordinating Group (Tower Committee); Develop, implement and monitor Executive and Legislative orders/laws effecting tower coordination activities.
- Manage staff and provide direction and oversight of work performed by contractors and consultants.

## **Program Manager II**

**Job Class Overview:** This is either 1) professional work directing operational program(s) and/or managing and monitoring contracts of major scope, expenditure and effect; or, 2) professional staff work involving the analysis of nonstandard or unclear information, identifying various approaches and alternatives, and developing recommendations/drafting decisions which affect a wide range of activities for the consideration of or issuance by a higher level official or manager directing a line program or function. An employee in this class utilizes knowledge of a wide range of program management and subject matter program principles, techniques, functions, regulations and procedures in planning, organizing, directing and evaluating one or more programs and/or oversight of contractor activities. Program management involves directing or carrying out assignments for one or more programs; or, providing staff support to a higher level official or manager directing a line program or function. Responsibility for contract administration is frequently included. The work of this class consists of three distinct but interrelated functions: 1) determining what to do and deciding how and when to do it; 2) carrying out or overseeing the accomplishment of the work, and the development of new methods or criteria to achieve established objectives; and 3) evaluating the effectiveness of the activities carried out.

Current responsibilities include, but not limited to:

Each Program Manager's work is characterized by multiple complex and diverse assignments, which have significant impact to the administration of the Cable Office.

Development, implementation and management of the following programs:

- Annual Cable Plan;
- Accounts payables and receivables;
- Procurement of goods and services
- Cable Franchising- process oversight and participation in negotiations
- ROW management (Telecom franchisees, ROW ordinances)
- County Cable Montgomery (CCM);
- Technical Operations Center (TOC);
- PEG Network and the Mobile Productive Vehicle;
- Cable Office websites (Cable Office, PEG Network and Tower Committee);
- Cable Franchise Compliance;
- Transmission Facilities Coordinating Group (Tower Committee);
- Cable Rate Regulation;
- Other special projects such as Cable Franchise Mid-Term Technical Reviews, Needs Assessments, Feasibility Studies, Pilot Projects, PEG digital equipment and migration studies; Legal proceedings and filings; Consumer awareness of the DTV transition.

Additional responsibilities may include:

- Developing ordinances and Executive Regulations;
- Attending meetings and serving on various committees representing the department and/or the Cable Office;
- Developing position papers on strategic plans;
- Preparing and presenting reports (written and orally) to County Council and the County Executive, other elected officials, advisory committees and others on cable and telecommunications related activities;
- Serving as liaison between cable operators and the County's Network Services Team on FiberNet and Internet matters;
- Hosting County cable programs; and
- Supervising staff and contractors.

### **Investigator III**

Job Class Overview: This is advanced level investigative work involving research and conciliation of complaints and enforcement of applicable laws, regulations and Executive Orders. Work may also involve administration of auxiliary or supplemental functions developed to enhance the efficiency and effectiveness of the work unit or agency.

Current responsibilities include, but not limited to:

- Development, implementation and management of the cable complaint function-intake, resolution, database compilation and reporting;
- Customer service satisfaction surveys- distribution of surveys and analysis of results;
- Staff support to the Cable Communications Advisory Committee (CCAC);
- Cable Office liaison to the Cable Compliance Committee;
- Cable Office liaison for DTS-Configuration Management Project
- Cable Office point of contact for CRM-311 project

- Attend meetings and serve on various committees representing the department and/or the Cable Office.

### **Administrative Specialist III**

This is complex administrative support work in a diversity of functions in support of a department/agency/division or other comparable organization level. An employee in this class normally works under the general direction of a department/agency head or division chief and is responsible for providing sole administrative support in one or more of the following functional areas: budget preparation; contract monitoring and administration; personnel administration (e.g., recruitment/placement, classification studies, grievances, promotions/terminations, RIFs and training); liaison with other departments/agencies; research on special projects including analysis of complex data and report writing; accounting controls; and possibly planning/coordination of office automation needs.

#### Current responsibilities include, but not limited to:

- Assist with the preparation, implementation and monitoring of the Cable Plan and procurement of goods and services for the Cable Office and PEG Network.
  - Preparing requisitions, direct purchase orders, direct payments, vouchers, journal entries and wire transfers using the County's automated accounting systems (FAMIS and ADPICS);
  - Assisting with the development and processing of procurement documents (RFP, IFB, RFQ, contracts, amendments);
  - Reviewing, processing, and tracking vendor payments;
  - Maintaining payment records;
  - Assisting with the collection of data, preparation, and monitoring of the Cable Plan; and
  - Researching vendor payment inquiries.
- Provide administrative support to PEG Network
  - Assisting with the retrieval, analysis and reporting of program data;
  - Assisting with development and implementation of special events such as PEG Network trainings and community outreach;
  - Scheduling use of the PEG Network Mobile Production Vehicle;
- Assisting/Backing-up with complaint intake and processing.

### **Info Technology Specialist III (Engineer)**

Job Class Overview: This is full performance level professional information systems technology work. The work of this class involves duties such as writing computer programs/code; preparing test data and test programs; installing, customizing, and maintaining operating and network system hardware and software; troubleshooting and resolving computer operating system problems; assisting with the design and development of databases; performing systems analysis functions; and developing system specification requirements.

#### Current responsibilities include, but not limited to:

CCM and MPV Engineering, Maintenance and Operations

- Control room normalization, equipment set-up, camera shading, and troubleshooting, engineering and technical support;

- Diagnose and troubleshoot technical operational problems;
- Oversees/assists with the design, installation and modification of components and systems;
- Researches and develops equipment recommendations and specifications;
- Perform, or arrange for, regular maintenance and repair work on video and audio equipment;
- Develop schematics and flow diagrams as necessary (system documentation);
- Design circuits, program and install necessary equipment and cables;
- After hours responds to emergencies and equipment malfunction or failure;
- Coordinates scheduled and routine vehicle maintenance with Fleet Management Division;
- Provide routine monitoring of CCM and the PEG channel's audio and video signal quality;
- Maintain inventory of equipment and production supplies;
- Digitize, close caption and program shows into the file server;
- Schedule playback of programming using the Automation Systems;
- Troubleshoot with the ability to provide appropriate corrective action in case of error;
- Prepare dubs of programs; and
- Prepare necessary programming and playback reports and documentation.

### **Info Technology Specialist I**

Job Class Overview: This is entry level professional information systems technology work. The work of this class involves duties such as writing computer programs/code; preparing test data and test programs; installing, customizing, and maintaining operating and network system hardware and software; troubleshooting and resolving computer operating system problems; assisting with the design and development of databases; performing systems analysis and system security functions and developing system specification requirements.

#### Current responsibilities include, but not limited to:

- Maintain, manage, provide technical support and troubleshoot the County's Digital Multi-media Services web pages which provide an indexes to all County digital multi-media services, including County Council and Executive branch digital multi-media video and audio files including, customizing for specific client needs, system solution development, quick identification of any problems and necessary corrective action;
- Design, develop, and maintain web applications
- Create detailed reports on usage, content popularity and media storage capability.
- Coordinate closed captioning and transcript editing services; Produce video clips or segments and publish them to the County's streaming video web servers.
- Prepare the weekly bulletin board of government activities and events for digitizing into the video file server.
- Develops databases for our complaint web application in foreign languages
- Monitor CCM and the PEG channels audio and video signal quality

### **Office Services Coordinator**

Job Class Overview: This is advanced office support work providing office and administrative support services for a major program or specialized function. The employee serves as the principal office support for a unit with responsibility for coordinating varied and extensive day-to-day office operations and for seeing that administrative matters of the unit are properly taken care of; or an

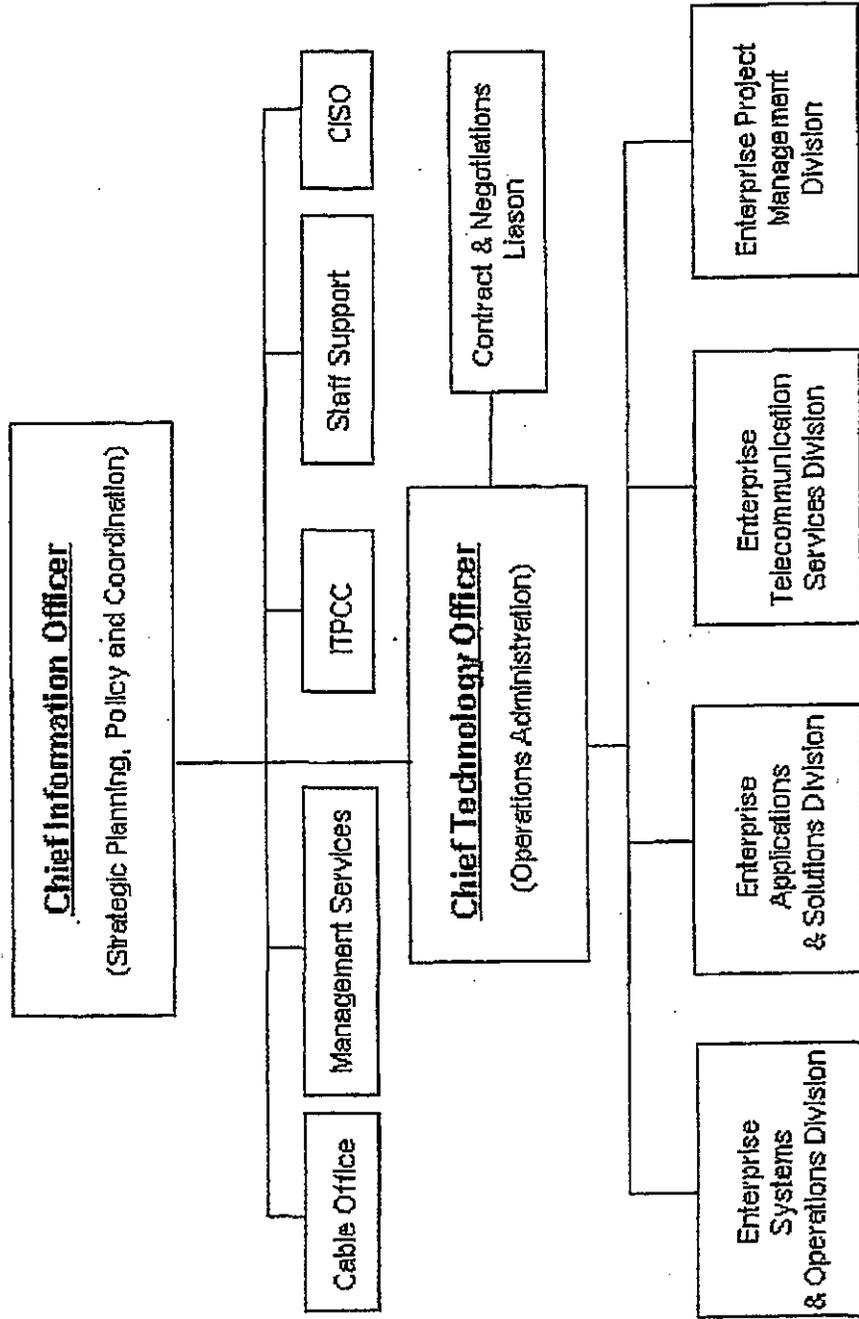
employee may serve as the principal support position for a designated activity or function that is not a formal unit, but which has similar office and administrative support responsibilities.

Current responsibilities include, but not limited to:

- Document Management: Handle incoming and outgoing correspondence, maintain files, scan and duplicate documents;
- Office Administration - Phone coverage; office supplies; facility oversight; travel arrangements, expense reconciliation, meeting coordination, serve as initial point of contact for visitors;
- Coordinate CCAC meeting arrangements and take meeting minutes; and
- Assisting/Backing-up with complaint intake and processing.



# Department of Technology Services Office of the CIO/CTO



February 27, 2008

39

**Quarterly Review**

**MEMORANDUM**

June 27, 2008

TO: Management and Fiscal Policy Committee  
FROM: Susan D. John, Legislative Analyst *SK*  
SUBJECT: **Quarterly Review:** Comcast, RCN, and Verizon Customer Service

As noted in the June 27, 2008 Quarterly Review packet, compliance information was not available at print time. Compliance information is provided below.

**B. Compliance: Telephone Answering, Installation, and Service**

When determining compliance with the franchise agreements, the Cable Office uses the following telephone answering standards: (1) the telephone call must be answered by a live representative within 30 seconds from the time a customer selects his/her choice on the automated response unit; and (2) if a transfer to another customer service representative is required, the transfer must be answered within an additional 30 seconds.

Comcast: Cable Office staff have been meeting with Comcast over the past few months to discuss reporting and compliance. During the first quarter of 2008, Comcast phone answering statistics have improved, and installation and repairs are in compliance (*see Table 1*).

**TABLE 1: Customer Service Summary Information Provide by Comcast  
April 2007 – March 2008**

Category of Service	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Percentage of calls answered in 30 seconds (90% required by franchise agreement)	89	74	87	90	90	86	70	74	**	72	90	85
Percentage of calls receiving a CAE connection within 60 seconds (90% required by franchise agreement)	61	79	84	89	91	94	97	94	**	87	90	91
Percentage of repairs performed within 24 hours (95% required by franchise agreement)	86	82	85	82	90	97	91	85	**	96	98	98
Percentage of installations performed in seven days (95% required by franchise agreement)	96	96	96	96	100	91	84	98	**	96	96	96

*\*\*Not available at the time the packet went to print. Committee staff will distribute updated information when it is provided.*

**RCN:** The Cable Office advises that RCN is in compliance for phone answering, installation, and service (see Table 2). This reflects improvement from the last quarter of 2007, where RCN fell short in both the percentage of calls answered within 30 seconds and the percentage of calls receiving a CAE connection within 60 seconds.

**TABLE 2: Customer Service Summary Information Provide by RCN  
April 2007 – March 2008**

Category of Service	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Percentage of calls answered in 30 seconds (90% required by franchise agreement)	97	97	94	85	95	95	95	82	82	93	92	90
Percentage of calls receiving a CAE connection within 60 seconds (90% required by franchise agreement)	91	92	90	92	81	82	74	92	93	97	96	94
Percentage of repairs performed within 24 hours (95% required by franchise agreement)	98	97	98	98	98	74	100	90	78	100	95	100
Percentage of installations performed in seven days (95% required by franchise agreement)	100	100	100	100	100	100	100	100	100	100	100	100

**Verizon:** Verizon began submitting quarterly reports to the County last quarter; however, the data provided were regional numbers. For the first quarter of 2008, data is specific to Montgomery County. The Cable Office advises that the installation category

needs improvement, but otherwise the Cable Office is very encouraged with Verizon's performance (see Table 3).

**TABLE 3: Customer Service Summary Information Provide by Verizon  
April 2007 – March 2008**

Category of Service	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Percentage of calls answered in 30 seconds (90% required by franchise agreement)				100	100	100	**	**	**	100	100	100
Percentage of calls receiving a CAE connection within 60 seconds (90% required by franchise agreement)				60	63	89	**	**	**	67	97	98
Percentage of repairs performed within 24 hours (95% required by franchise agreement)				100	100	100	**	**	**	97	98	94
Percentage of installations performed in seven days (95% required by franchise agreement)				70	80	91	**	**	**	65	73	58

*\*\* Not available when the packet went to print. Committee staff will distribute updated information when it is provided.*

Council staff advises there has been dispute on how the telephone answering compliance should be assessed. Comcast has stated in the past that it prefers the following standards: (1) the automated response unit must answer the incoming telephone call within 30 seconds; and (2) a live representative must answer within 30 additional seconds.

It is unclear whether Verizon's call answer data, which shows 100% compliance, illustrates the phones are being answered by a live representative within 30 seconds (as required) or by the interactive voice response system. *The Committee may wish to ask Verizon and/or the Cable Office to explain these numbers in more detail. Are all three franchisees being measured for compliance under identical standards?*