

MEMORANDUM

April 12, 2013

TO: Government Operations and Fiscal Policy Committee
FROM: Dr. Costis Toregas, Council IT Adviser
SUBJECT: Cable Television and Communications Plan

Expected to attend:

Sonny Segal, Chief Information Officer, Department of Technology Services
Mitsuko R. Herrera, Cable and Broadband Administrator, Department of Technology Services
Merlyn Reineke, Chair, PEG Governance Board
Representative from the Office of Management and Budget
Members of the Public Education and Government (PEG) Network
Richard Wells, Chair of the Cable Communications Advisory Commission

Summary of Staff Recommendations:

1. **Accept** the Executive's recommended **Cable Plan**.
2. **Monitor** the evolution of the **MCT organization** once its new ByLaws are enacted, and **support** MCT efforts to **diversify** its funding base.

Overall comments

The Cable Communications Plan (on ©1-10) is a unique instrument not found in many other local governments. It allows Montgomery County to develop structured and thoughtful solutions to communications and other problems using the 5% franchise fee arising from active franchise holders, as well as additional associated revenues. The sum total of these revenues is projected to be \$27,583,000 in FY14 (see line 11 on © 6), an increase of 8.2% from the \$25,487,000 estimated revenue in FY13.

Several major activities have been underway in the months leading up to the FY14 budget discussions:

- The entities collectively known as the PEGs have developed a formal governance structure – the PEG Governance Board – with a clear leadership structure and a desire to “...approve joint projects and provide outcomes-based recommendations for the allocation of resources...”. Merlyn Reineke is the first elected chair of this Board and has guided the Group into an effective collaboration, with good results. These PEG Governance Board results are displayed in © 11-24 and provide for the first time a set of clearly articulated accomplishments and progress from the Cable Plan investments.

- The amount of revenues garnered from the cable franchise fee continues to grow. In FY12, the last year for which actuals are known, the total revenues that came into the Cable Fund were \$23.8m. The upward trend is made more evident in the Table below:

	FY08	FY09	FY10	FY11	FY12
Total Revenues	16,635,000	17,608,000	19,830,000	22,312,000	23,844,000
% increase		+5.8%	+12.6%	+12.5%	+6.9%

This remarkably resilient source of revenues can be expected to grow as new services are added and overall Cable industry revenue grows. Careful monitoring of the FCC discussions at federal level and collective efforts with other local governments will ensure that this source of revenue will continue to provide a foundation for innovation and new efforts that improve the community of Montgomery County as it has done in the past.

- The County is part of an unprecedented joint broadband expansion project funded by the federal government's ARRA program, which is allowing the construction of \$17m of fiber optic network to connect more than 300 Montgomery County facilities. While \$3m of that amount is a cash match, the total amount gives major impetus to the FiberNet project that has suffered cutbacks the last few years and strongly repositions the County's commitment to broadband technology across all 6 major agencies. The completion of this expansion is scheduled for Fall 2013.
- The Executive is requesting a transfer of \$6,854,000 to the General Fund. This follows a pattern established during the fiscal downturn; in FY12, it was \$8,086,000 and in FY13 it was \$7,064,000.

As the County's other revenue sources recover and produce higher revenue levels, reducing the amount of this transfer would mean that more resources would be available for direct targeting in areas of community impact and telecommunications applications under the overall guidance of the Cable plan and of the PEG Governance Board.

- The way in which municipalities and other entities who receive funds via the Cable Plan receive capital and operating expenses is being renegotiated by the Cable Administrator. Line 19 of © 8 shows a reduction in PEG capital, while line 34 shows an offsetting increase in operating expenses. This rebalances the distribution of restricted revenues into categories that more closely match actual usage.
- The Legislative NDA that has proven very successful in improving the infrastructure and programs through which the County Council communicates with the general public is now set at \$400,000, and that amount is shown programmed at the same level for each of the subsequent 5 years.

Some explicit questions were raised regarding the Cable plan expenses; these questions and the answers provided by the Cable Administrator are on © 25-27.

Cable Communications Plan

MISSION STATEMENT

The mission of the Cable Communications Plan is to effectively manage the County's cable television and telecommunications franchise agreements and the Cable Special Revenue Fund to ensure that: cable services in Montgomery County are of high quality; cable and telecommunications providers comply with applicable safety and construction codes; cable customer service requirements and applicable consumer protection provisions are enforced; quality Public, Educational, and Governmental (PEG) cable programming is provided; FiberNet is expanded and operated to provide reliable voice, data, video and public safety communications to County government agencies; and a reliable and expedient process is provided for telecommunication carriers to establish transmission facilities in the county to speed deployment of services for residents while maintaining adequate public protection.

BUDGET OVERVIEW

For FY14, the Cable Communications Plan consists of three elements: the Cable & Broadband Office appropriation (\$13,873,905), transfers to the County General Fund (\$10,640,979), and transfers to the County Capital Improvements Program (\$3,916,000) for a total use of fund resources of \$28,430,793. Within the Cable Office appropriation of \$13,873,905, Personnel Costs comprise 24.8 percent of the budget for sixteen full-time position. A total of 30.5 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 75.2 percent of the FY14 budget.

In FY14, there are several transfers to the General Fund for the following:

Montgomery College (MC): Funds are transferred from the Cable Fund to the General Fund, and then to MC. In FY14, total transfers to MC are \$1,345,800, representing an increase of \$100,950 (or 8.1%) over the FY13 transfer of \$1,244,850.

Montgomery County Public Schools (MCPS): Funds are transferred from the Cable Fund to the General Fund, and then to MCPS. In FY14, total transfers to MCPS are \$1,477,260, representing an increase of \$19,669 (or 1.3%) over the FY13 transfer of \$1,457,591.

Other: Funds are transferred from the Cable Fund to the General Fund to cover the cost of certain administrative services provided by the County to the Cable Fund (\$538,794), costs related to the Technology Modernization program (\$25,125), funding the workplan of the Legislative Branch Communications Outreach NDA (\$400,000), and other contributions (\$6,854,000).

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***
- ❖ ***An Effective and Efficient Transportation Network***
- ❖ ***Children Prepared to Live and Learn***
- ❖ ***Healthy and Sustainable Neighborhoods***
- ❖ ***Strong and Vibrant Economy***
- ❖ ***Vital Living for All of Our Residents***

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ *In FY14, the Cable and Broadband Office will lead an Innovative Media pilot to expand the use of video as an interactive presentation tool. This initiative will build upon FY13 accomplishments of creating the openMontgomery promotional video, Human Rights Hall of Fame video award presentations, and the Montgomery County Public Libraries' Teen Advisory Group library promotion video series.*
- ❖ *In FY13, the County's Youth media initiatives resulted in hundreds of teenagers receiving digital media training, creating monthly programming by teens, expanding the Mymcmedia.org/youth web page, creating new teen blogs, internships and live events. In FY14, additional funding will support expansion of teen-produced programming, digital media internships and training, and a teen-led transmedia governance committee to create a hip and safe youth-centric on-line community space.*
- ❖ *In FY13, the Public, Educational, and Government (PEG) Governance Board used technological innovations and cross-agency collaboration to increase its collaboratively produced first-run original programming by 26 percent and to expand Spanish language programming. In FY14, a new Community Engagement initiative will expand outreach and programming about underrepresented immigrant communities and Spanish-speaking communities.*
- ❖ *In FY13, the Cable Office's technical support and funding from the Legislative Non-Departmental Account was used to install equipment necessary to enable live transmission and recording of all Council general and committee meetings. This equipment, in addition to a three percent increase in the FY14 County Cable Montgomery (CCM) budget, will enable CCM to increase its overall original programming hours by 50 percent.*
- ❖ *Productivity Improvements*
 - *In FY13, FiberNet construction funded by the American Recovery and Reinvestment Act will be completed. The number of locations serviced by the County's high-speed communications network will increase by 32 percent. This expansion along with consistent efficiencies in network operations by the Department of Technology Services management team will lower the FiberNet per site operating costs by one percent.*

PROGRAM CONTACTS

Contact Mitsuko R. Herrera of the Cable and Broadband Office at 240.777.2928 or Dennis Hetman of the Office of Management and Budget at 240.777.2770 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Cable Franchise Administration

The Cable & Broadband Office in the Department of Technology Services is responsible for administering the cable television agreements for the County and participating municipalities. The budget for franchise administration includes funds for cable management and enforcement staff, including cable and broadband complaint investigation staff, cable inspection and facilities testing staff, and office operating expenses. Funds will be used for engineering consulting services which require special expertise, such as engineering review of tower and antenna siting applications, IP-based interconnection of public, educational, and government access (PEG) video signals and facilities, transmission facility digital and engineering upgrades, and the implementation of future technology and mobile video applications. Funds will also be used to pay legal and financial consultants for work which requires special expertise, such as preparation of filings on behalf of the County before the Federal Communications Commission, analysis of legislative proposals, and County representation in cable and telecommunications service negotiations, and rate regulation and franchise compliance matters.

The responsibilities associated with franchise administration include:

- Ensuring cable operator compliance with franchise financial, technical, and construction requirements and managing the cable franchise renewal and transfer process;
- Investigating and resolving cable and broadband subscriber and residential complaints;
- Administering contracts with and providing liaison and support services for the PEG channels;
- Collecting and administering franchise fees, grants, and other payments to the County and participating municipalities;
- Encouraging entry of competitive providers of telecommunication services and negotiating and reviewing proposed

- telecommunications franchises for use of the public rights-of-way;
- Directing and coordinating the Transmission Facilities Coordinating Committee;
- Supporting the Cable and Communications Advisory Committee and Cable Compliance Commission;
- Strategic planning for Montgomery County government cable and communications technology;
- Preparing the annual Cable Communications Plan; and
- Monitoring and working with the Office of Intergovernmental Relations to advocate for effective and reasonable State and Federal cable, broadband and telecommunications regulations and legislation.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Percent of Customers Satisfied with Cable Office Complaint Handling	96	97	95	95	95
Average Days to Process Transmission Facilities Applications by Transmission Facilities Coordinating Group	23	27	30	30	30
Number of Transmission Facility Applications Processed	155	209	100	120	120

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,578,537	8.90
Increase Cost: Contract Increase for Engineering & Inspections Services	18,000	0.00
Enhance: Technology Support/Training for Customer Service Operations	10,000	0.00
Increase Cost: Printing and Mail Adjustment	181	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	18,355	0.00
FY14 CE Recommended	1,625,073	8.90

Community Access to Cable

The Cable & Broadband Office administers a contract with Montgomery Community Television, doing business as Montgomery Community Media (MCM), through which MCM operates two community media cable television channels and provides media technology training to County residents and community organizations. MCM produces independent, diverse and informative cable programming for Montgomery County residents. MCM's mission is to provide media, television production and technology training that empowers residents and organizations and provides them with the opportunity to interact, engage and influence the County government and the community by using the powerful media of television and the Internet.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Hours of First Run Locally Produced, Block and Acquired MCM Programming	5,542	6,848	7,000	7,050	7,100
Hours of MCM Volunteer Effort in Creating Public Access Programming	12,402	13,642	16,500	17,000	17,500

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,250,120	0.00
Add: New Community Media Videographer position	65,000	0.00
Increase Cost: Contract Funding for Community Media Center Employees	40,648	0.00
Increase Cost: Rent and Utilities for Community Access Facility	7,759	0.00
Increase Cost: Benefits for Montgomery County Media (MCM)	4,982	0.00
FY14 CE Recommended	2,368,509	0.00

County Cable Montgomery

The Cable Office manages CCM (County Cable Montgomery), the government access channel. CCM programming includes live Council general and committee meetings, press conferences, town hall meetings, special events, and programs highlighting County services and activities. Funding is provided to the Cable Office, County Council, Office of Public Information (PIO), and Maryland National Capital Park and Planning Commission (M-NCPPC) to develop programming for CCM. Funding to provide engineering personnel for the Mobile Production Vehicle for the PEG Network and other digital media services for the Executive and Legislative Branches is also included in the allocation to the Cable Office. Over 99 percent of all CCM programming is presented with closed captions. Highlights of programs are available on the County's YouTube channel. Spanish language programming is produced and all programming is web-streamed to the County's website.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Hours of First Run Locally Produced, Block and Acquired CCM Programming	2,603	2,631	2,653	2,816	2,838

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,212,306	15.90
Add: Production Services to Expand Council Coverage	62,000	0.00
Enhance: County Council Community Engagement Contractor from PT to FT	45,500	0.00
Increase Cost: Audio/Video Supplies for Public Information Office	12,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	145,370	0.00
FY14 CE Recommended	2,477,176	15.90

Cable Programming for Public Schools

The Montgomery County Public Schools (MCPS) Office of Communications is responsible for producing television programming for its educational cable channel. Funds are used for production of instructional, community-based, staff development, and training television programs; for programs viewed via the Internet; as well as for engineering, channel management, and program acquisition. MCPS regular programming includes Board of Education meetings, Homework Hotline Live!, staff training and development, live call-in and interactive programs, in-class student programs, student-produced programs, technology training, and televised instruction in a variety of academic content areas. Many programs are translated and cablecast in multiple languages. Additional funds are requested and provided through the Public Schools' operating budget.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Hours of First Run Locally Produced, Block and Acquired MCPS ITV Programming	914	954	960	1,277	1,340

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	0	0.00
FY14 CE Recommended	0	0.00

Cable Programming for Montgomery College

The Instructional Television (ITV) and Media Production Services Unit of Montgomery College is responsible for creating cable programming available on the Montgomery College educational cable channel as well as video programming and learning materials available as on-line content. Funds are used for staff, equipment, and operating expenses to provide digital media services to support student success (i.e., course completion, retention, graduation, and academic excellence), produce Spanish language programming, and to advance the mission of the entire College community. The cable and video programming features acquired and originally produced educational, informational and instructional programming which directly supports the College's distance learning and instructional programs, and to provide professional and workforce development and self-enrichment opportunities for the community. Additional funds are provided through the Montgomery College operating budget.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Hours of First Run Locally Produced and Acquired MC-ITV Programming	471	336	230	250	250
Hours of Montgomery College Student-Assisted Original Programming	79	143	100	110	110

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	0	0.00
FY14 CE Recommended	0	0.00

Municipal Support

Franchise and PEG fees owed by cable operators to participating municipalities within Montgomery County are paid by cable operators to the County for administrative convenience and then redistributed by the County to the City of Rockville, the City of Takoma Park, and the Montgomery County Chapter of the Maryland Municipal League (MML). The County has a contractual obligation to pass through fees owed to municipalities and no discretion to alter these payments. Municipalities may use franchise fees for any purpose. Under the terms of the franchise agreements, participating municipalities must use Public, Education, and Government (PEG) Access Operating Support funding to support PEG programming operations and PEG capital support must be used for PEG and institutional network equipment, facilities and related capital expenditures.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	3,521,074	0.00
Increase Cost: Increase in Municipal PEG Operating Support Payments	986,951	0.00
Increase Cost: Increase in Municipal Franchise Fee Distributions	121,389	0.00
Decrease Cost: Decrease in Municipal PEG Capital Support Payments	-1,076,527	0.00
FY14 CE Recommended	3,552,887	0.00

Public Education Government Access (PEG) Operations

The mission of the Public, Education, and Government (PEG) Governance Board is to facilitate collaboration among the local television access operators in providing and promoting the most effective public access, educational and government programming and media services to the Montgomery County community using current and emerging technologies. PEG is collaboratively working to expand programming in languages other than English and youth media programming.

The budget for PEG includes funds for the purchase of equipment; engineering support; promotion and outreach support to increase channel awareness and viewership; operational and maintenance support for the mobile production vehicle; closed captioning and Spanish language support; and general operating and administrative expenses. Federal law and cable franchise agreements restrict use of some funds to PEG and Institutional Network capital expenditures. These funds may be used to purchase PEG equipment and renovate or construct PEG studio and mobile facilities.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,401,108	0.00
Increase Cost: Equipment Maintenance and Operating Support	81,000	0.00
Enhance: Community Engagement Contractor from PT to FT	45,500	0.00
Add: Video Innovation Initiative	25,000	0.00
Enhance: Youth Media (Positive Youth Development)	25,000	0.00
Increase Cost: Mobile Production Vehicle Maintenance	5,500	0.00
Decrease Cost: Decrease in PEG Capital Equipment	-231,237	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-70,500	0.00
FY14 CE Recommended	1,281,371	0.00

FiberNet

Funding from the Cable Special Revenue Fund are used to support Montgomery County's private communications network – FiberNet. FiberNet is a critical infrastructure asset that provides carrier class voice, video, Internet access and data network services for Montgomery County Government and Public Schools, Montgomery College, Housing Opportunities Commission (HOC), the Maryland-National Park and Planning Commission (M-NCPPC) and the Washington Suburban Sanitary Commission (WSSC). The County's public safety communications are also provided via FiberNet infrastructure. Additionally, FiberNet provides private network access to the State of Maryland and all of the local counties, municipalities and the District of Columbia. Expenditures cover the cost of network expansion, monitoring, management, and maintenance services. FiberNet is a countywide multi-million dollar investment that is crucial to the daily operation of local government within Montgomery County and with its citizens, neighboring governments and business partners.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
New Sites Added to FiberNet ¹	24	8	109	19	27

¹ ARRA-funded FiberNet site work will be completed by August 2013.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,183,806	4.70
Increase Cost: Miss Utility Compliance	150,000	0.00
Add: FiberNet - Senior Information Technology Specialist Position	96,493	1.00
Increase Cost: FiberNet - Maintenance	90,718	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	47,872	0.00
FY14 CE Recommended	2,568,889	5.70



BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
CABLE TELEVISION					
EXPENDITURES					
Salaries and Wages	1,988,419	2,412,416	2,293,110	2,558,103	6.0%
Employee Benefits	617,179	784,364	737,111	876,267	11.7%
Cable Television Personnel Costs	2,605,598	3,196,780	3,030,221	3,434,370	7.4%
Operating Expenses	9,389,173	9,950,171	10,286,657	10,439,535	4.9%
Capital Outlay	0	0	0	0	—
Cable Television Expenditures	11,994,771	13,146,951	13,316,878	13,873,905	5.5%
PERSONNEL					
Full-Time	16	16	16	16	—
Part-Time	0	0	0	0	—
FTEs	26.50	29.50	29.50	30.50	3.4%
REVENUES					
Franchise Fees	14,829,164	15,985,851	16,118,988	17,096,369	6.9%
Gaithersburg PEG Contribution	183,750	199,721	188,839	189,162	-5.3%
I-Net Operating Revenue	1,681,406	1,714,530	1,731,004	0	—
Investment Income	14	10,000	10,000	10,000	—
Miscellaneous Revenues	23,040	0	686,871	0	—
PEG Capital Revenue	4,849,979	5,277,254	5,578,008	5,854,929	10.9%
PEG Operating Revenue	2,136,860	2,179,597	2,200,536	4,332,490	98.8%
Tower Application Fees	140,006	120,000	80,000	100,000	-16.7%
Cable Television Revenues	23,844,219	25,486,953	26,594,246	27,582,950	8.2%

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
CABLE TELEVISION		
FY13 ORIGINAL APPROPRIATION	13,146,951	29.50
Changes (with service impacts)		
Add: FiberNet - Senior Information Technology Specialist Position [FiberNet]	96,493	1.00
Add: New Community Media Videographer position [Community Access to Cable]	65,000	0.00
Add: Production Services to Expand Council Coverage [County Cable Montgomery]	62,000	0.00
Enhance: Community Engagement Contractor from PT to FT [Public Education Government Access (PEG) Operations]	45,500	0.00
Enhance: County Council Community Engagement Contractor from PT to FT [County Cable Montgomery]	45,500	0.00
Add: Video Innovation Initiative [Public Education Government Access (PEG) Operations]	25,000	0.00
Enhance: Youth Media (Positive Youth Development) [Public Education Government Access (PEG) Operations]	25,000	0.00
Enhance: Technology Support/Training for Customer Service Operations [Cable Franchise Administration]	10,000	0.00
Other Adjustments (with no service impacts)		
Increase Cost: Increase in Municipal PEG Operating Support Payments [Municipal Support]	986,951	0.00
Increase Cost: Miss Utility Compliance [FiberNet]	150,000	0.00
Increase Cost: Increase in Municipal Franchise Fee Distributions [Municipal Support]	121,389	0.00
Increase Cost: FY14 Compensation Adjustment	101,085	0.00
Increase Cost: FiberNet - Maintenance [FiberNet]	90,718	0.00
Increase Cost: Equipment Maintenance and Operating Support [Public Education Government Access (PEG) Operations]	81,000	0.00
Increase Cost: Group Insurance Adjustment	43,340	0.00
Increase Cost: Contract Funding for Community Media Center Employees [Community Access to Cable]	40,648	0.00
Increase Cost: Contract Increase for Engineering & Inspections Services [Cable Franchise Administration]	18,000	0.00
Increase Cost: Annualization of FY13 Personnel Costs	14,397	0.00
Increase Cost: Audio/Video Supplies for Public Information Office [County Cable Montgomery]	12,000	0.00
Increase Cost: Retirement Adjustment	10,359	0.00
Increase Cost: Rent and Utilities for Community Access Facility [Community Access to Cable]	7,759	0.00
Increase Cost: Other Labor Contract Costs	5,900	0.00
Increase Cost: Mobile Production Vehicle Maintenance [Public Education Government Access (PEG) Operations]	5,500	0.00
Increase Cost: Benefits for Montgomery County Media (MCM) [Community Access to Cable]	4,982	0.00
Increase Cost: Printing and Mail Adjustment [Cable Franchise Administration]	181	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-33,984	0.00
Decrease Cost: Decrease in PEG Capital Equipment [Public Education Government Access (PEG) Operations]	-231,237	0.00

	Expenditures	FTEs
Decrease Cost: Decrease in Municipal PEG Capital Support Payments (Municipal Support)	-1,076,527	0.00
FY14 RECOMMENDED:	13,873,905	30.50

PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Cable Franchise Administration	1,578,537	8.90	1,625,073	8.90
Community Access to Cable	2,250,120	0.00	2,368,509	0.00
County Cable Montgomery	2,212,306	15.90	2,477,176	15.90
Cable Programming for Public Schools	0	0.00	0	0.00
Cable Programming for Montgomery College	0	0.00	0	0.00
Municipal Support	3,521,074	0.00	3,552,887	0.00
Public Education Government Access (PEG) Operations	1,401,108	0.00	1,281,371	0.00
FiberNet	2,183,806	4.70	2,568,889	5.70
Total	13,146,951	29.50	13,873,905	30.50

FUTURE FISCAL IMPACTS

Title	CE REC. (\$000's)					
	FY14	FY15	FY16	FY17	FY18	FY19
This table is intended to present significant future fiscal impacts of the department's programs.						
CABLE TELEVISION						
Expenditures						
FY14 Recommended	13,874	13,874	13,874	13,874	13,874	13,874
No inflation or compensation change is included in outyear projections.						
Annualization of Positions Recommended in FY14	0	32	32	32	32	32
New positions in the FY14 budget are generally lapsed due to the time it takes a position to be created and filled. Therefore, the amounts above reflect annualization of these positions in the outyears.						
Elimination of One-Time Items Recommended in FY14	0	-25	-25	-25	-25	-25
Items recommended for one-time funding in FY14, including the Video Innovation Initiative, will be eliminated from the base in the outyears.						
Labor Contracts	0	138	176	176	176	176
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Labor Contracts - Other	0	0	-6	-6	-6	-6
These figures represent other negotiated items included in the labor agreements.						
FiberNet - Increased Maintenance	0	6	13	21	28	28
Increase in maintenance costs as the number of FiberNet sites expand.						
Miss Utility Compliance	0	8	17	25	33	33
Utilize contract support to ensure compliance with the state Miss Utility identification and notification system for underground County-owned property.						
Subtotal Expenditures	13,874	14,033	14,081	14,097	14,112	14,112

FY14 COUNTY EXECUTIVE RECOMMENDED CABLE COMMUNICATIONS PLAN (in \$000's)

		App FY12	ACT FY12	App FY13	Est FY13	CE REC FY14	Proj. FY15	Proj. FY16	Proj. FY17	Proj. FY18	Proj. FY19
1	BEGINNING FUND BALANCE	1,129	1,762	645	1,702	1,148	92	1,445	1,487	1,503	1,448
2	REVENUES										
3	Franchise Fees ¹	14,997	14,829	15,986	16,119	17,096	17,742	18,117	18,474	18,384	19,214
4	Gaithersburg PEG Contribution ²	197	184	200	189	189	191	194	197	201	205
5	PEG Operating and Equipment Grant ^{1,2,3}	2,134	2,137	2,180	2,201	4,332	4,376	4,420	4,508	4,598	4,690
6	PEG Capital Grant ^{1,2,3}	4,809	4,850	5,277	5,578	5,855	6,198	6,383	6,509	6,707	6,775
7	FiberNet Operating & Equipment Grant ⁴	1,678	1,681	1,715	1,731	0	0	0	0	0	0
8	Interest Earned	20	(0)	10	10	10	10	10	10	10	10
9	TFCG Application Review Fees	246	140	120	80	100	120	120	120	120	120
10	Miscellaneous	0	23	-	687	-	0	0	0	0	0
11	TOTAL ANNUAL REVENUES	24,081	23,844	25,487	26,594	27,583	28,637	29,244	29,817	30,019	31,013
12	TOTAL RESOURCES-CABLE FUND	25,210	25,606	26,132	28,296	28,731	28,729	30,688	31,304	31,522	32,461
13	EXPENDITURE OF RESTRICTED FUNDS⁵										
14	A. EXPENDITURE OF RESTRICTED CAPITAL FUNDS										
15	Municipal Capital Support³										
16	Rockville Equipment	682	686	744	785	836	877	903	921	940	958
17	Takoma Park Equipment	682	686	744	785	125	125	125	125	125	125
18	Municipal League Equipment	612	616	674	715	125	125	125	125	125	125
19	SUBTOTAL	1,976	1,989	2,163	2,284	1,086	1,127	1,153	1,171	1,190	1,208
20	PEG Capital⁶	955	1,166	1,083	1,083	852	1,324	1,454	1,563	3,492	1,566
21	Council Community Communications Capital			200	200	-	0				
22	FiberNet - CIP	2,140	1,200	1,831	1,831	3,916	3,748	3,775	3,775	2,025	4,000
23	(Must be greater or equal to Line 6) SUBTOTAL	5,071	4,355	5,277	5,399	5,855	6,198	6,383	6,509	6,707	6,775
24	B. EXPENDITURE OF OTHER RESTRICTED FUNDS										
25	Municipal Franchise Fee Distribution³										
26	City of Rockville	559	601	608	636	682	718	741	752	767	783
27	City of Takoma Park	195	234	235	240	248	253	259	264	269	274
28	Other Municipalities	221	220	227	240	262	282	294	300	306	312
29	SUBTOTAL	975	1,055	1,070	1,116	1,191	1,254	1,293	1,315	1,341	1,368
30	Municipal Operating Support⁶										
31	Rockville PEG Support	76	71	73	73	425	206	206	208	212	217
32	Takoma Park PEG Support	76	71	73	73	425	435	447	461	477	495
33	Muni. League PEG Support	146	141	143	143	425	450	435	450	435	450
34	SUBTOTAL	298	284	288	290	1,275	1,091	1,088	1,119	1,124	1,161
35	SUBTOTAL	1,272	1,339	1,358	1,406	2,466	2,345	2,381	2,435	2,466	2,529
36	TOTAL EXPENDITURES OF RESTRICTED FUNDS	6,343	5,694	6,635	6,805	8,321	8,543	8,764	8,944	9,172	9,304
37	NET TOTAL ANNUAL REVENUES	17,738	18,150	18,852	19,789	19,262	20,094	20,480	20,874	20,847	21,709
38	NET TOTAL RESOURCES-CABLE FUND	18,867	19,912	19,497	21,491	20,410	20,185	21,924	22,360	22,350	23,157
39	EXPENDITURES OF NON-RESTRICTED FUNDS										
40	A. Transmission Facilities Coordinating Group										
41	TFCG Application Review	225	237	175	175	175	179	184	190	196	204
42	SUBTOTAL	225	237	175	175	175	179	184	190	196	204
43	B. FRANCHISE ADMINISTRATION										
44	Personnel Costs - Cable Administration	794	832	819	797	834	874	915	958	1,003	1,050
45	Personnel Costs - DTS Administration	69	66	72	72	71	74	78	81	85	89
46	Personnel Costs - Charges for County Atty	98	90	98	98	103	108	113	118	123	129
47	Operating	70	72	70	121	80	82	84	87	90	93
48	Engineering & Inspection Services	30	46	70	70	88	90	93	95	99	102
49	Legal and Professional Services	280	272	275	275	275	282	289	298	309	320
50	SUBTOTAL	1,340	1,378	1,404	1,433	1,450	1,510	1,571	1,637	1,708	1,784
51	SUBTOTAL	1,565	1,615	1,579	1,608	1,625	1,689	1,755	1,827	1,904	1,987
52	D. MONTGOMERY COUNTY GOVERNMENT - CCM										
53	Media Production & Engineering										
54	Personnel Costs	760	594	818	769	856	897	939	983	1,029	1,077
55	Operating	35	128	31	31	31	32	33	34	35	37
56	Contracts - TV Production	32	32	61	62	86	89	91	94	97	101
57	New Media, Webstreaming & VOD Services	38	34	38	41	38	39	40	41	43	44
58	SUBTOTAL	865	787	949	903	1,012	1,057	1,103	1,152	1,204	1,259
59	Public Information Office										
60	Personnel Costs	704	642	708	708	733	769	805	842	882	923
61	Operating Expenses	0	0	-	-	12	12	13	13	13	14
62	Contracts - TV Production	83	25	83	84	83	85	87	90	93	97
63	SUBTOTAL	787	667	791	792	828	866	905	945	988	1,034
64	County Council										
65	Personnel Costs	157	157	157	157	169	177	185	194	203	213
66	Operating Expenses	13	11	13	13	13	13	14	14	15	15
67	Contracts - TV Production	164	159	136	136	140	143	147	152	157	163
68	General Sessions and Committee Meetings			43	43	101	104	106	110	113	118
69	Multi-Lingual/Cultural Production Services	46	46	46	46	91	93	96	99	102	106
70	SUBTOTAL	380	372	394	394	514	531	548	569	591	615

FY14 COUNTY EXECUTIVE RECOMMENDED CABLE COMMUNICATIONS PLAN (in \$000's)

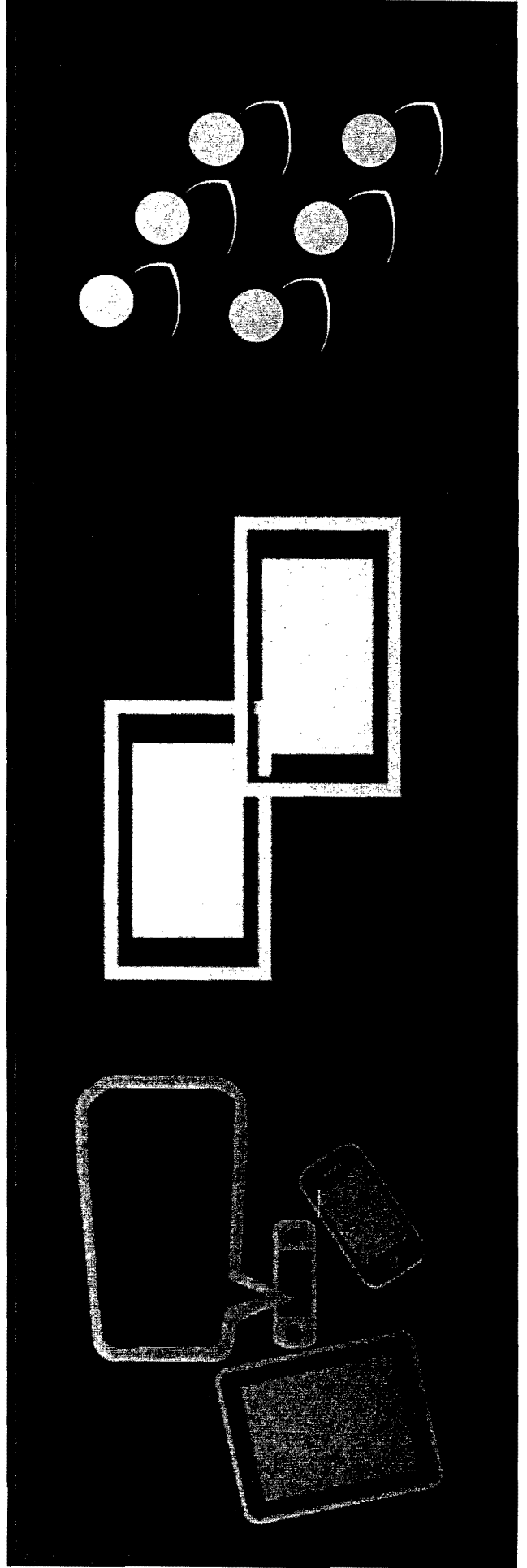
		App FY12	ACT FY12	App FY13	Est FY13	CE REC FY14	Proj. FY15	Proj. FY16	Proj. FY17	Proj. FY18	Proj. FY19
71	MNCPPC										
72	Contracts - TV Production	81	85	99	99	99	101	104	107	111	115
73	New Media, Webstreaming & VOD Services	24	24	24	24	24	25	26	26	27	28
74	SUBTOTAL	105	109	123	123	123	126	129	133	138	143
75	SUBTOTAL	2,137	1,935	2,258	2,213	2,477	2,580	2,686	2,799	2,921	3,050
76	E. MONTGOMERY COLLEGE - MCITV										
77	Personnel Costs	1,144	1,144	1,159	1,159	1,310	1,373	1,437	1,504	1,575	1,649
78	Operating Expenses	86	86	86	86	36	91	93	96	98	98
79	SUBTOTAL	1,230	1,230	1,245	1,245	1,346	1,366	1,427	1,492	1,560	1,560
80	F. PUBLIC SCHOOLS - MCPS ITV										
81	Personnel Costs	1,308	1,308	1,341	1,352	1,371	1,474	1,543	1,615	1,691	1,691
82	Operating Expenses	117	117	117	106	106	124	127	130	134	134
83	SUBTOTAL	1,425	1,425	1,458	1,458	1,477	1,598	1,670	1,745	1,825	1,825
84	G. COMMUNITY ACCESS PROGRAMMING ⁴										
85	Personnel Costs	1,708	1,708	1,713	1,793	1,904	1,996	2,089	2,186	2,289	2,396
86	Operating Expenses	124	124	124	67	67	69	71	73	75	78
87	Rent & Utilities	407	407	407	367	374	383	394	406	420	436
88	New Media, Webstreaming & VOD Services	6	6	6	23	23	24	25	25	26	27
89	SUBTOTAL	2,245	2,245	2,250	2,250	2,369	2,472	2,578	2,690	2,810	2,938
90	H. PEG OPERATING										
91	Operating Expenses	46	113	46	88	127	130	133	138	142	148
92	Youth and Arts Community Media	0	18	25	25	50	51	53	54	56	58
93	Community Engagement	46	0	46	46	91	93	96	99	102	106
94	Closed Captioning	130	133	130	130	130	175	179	184	189	189
95	Technical Operations Center (TOC)	10	10	10	10	10	11	11	11	11	11
96	Mobile Production Vehicle	16	16	16	19	22	22	23	23	24	25
97	SUBTOTAL	248	291	272	317	429	481	494	509	525	537
98	I. FIBERNET OPERATING										
99	FiberNet - Personnel Charges for DTS	181	178	456	360	595	624	653	683	715	749
100	FiberNet - Operations & Maintenance DTS	931	932	1,131	1,198	1,131	1,197	1,230	1,268	1,312	1,361
101	FiberNet - Personnel Charges for DOT	46	47	68	68	74	78	81	85	89	93
102	FiberNet - Operations & Maintenance DOT	258	258	258	258	349	357	367	379	392	406
103	SUBTOTAL	1,416	1,415	1,914	1,884	2,149	2,256	2,331	2,415	2,508	2,609
104	J. MISS UTILITY COMPLIANCE										
105	Miss Utility Compliance	0	0	270	270	420	430	442	456	472	489
106	SUBTOTAL	0	0	270	270	420	430	442	456	472	489
107	TOTAL EXPENDITURE OF UNRESTRICTED FUNDS	10,265	10,156	11,245	11,245	12,292	12,872	13,383	13,933	14,525	14,995
108	TOTAL EXPENDITURE OF RESTRICTED FUNDS	6,343	5,694	6,635	6,805	8,321	8,543	8,764	8,944	9,172	9,304
109	TOTAL EXPENDITURES - PROGRAMS	16,608	15,850	17,880	18,050	20,613	21,415	22,147	22,877	23,697	24,300
110	K. OTHER										
111	Indirect Costs Transfer to Gen Fund	369	369	388	388	539	422	442	462	484	484
112	Indirect Costs Transfer to Gen Fund (ERP & MCTime)	34	34	32	32	25	19	19	19	19	19
113	Transfer to the General Fund	8,086	8,086	7,064	7,064	6,854	5,028	6,194	6,043	5,474	5,846
115	Legislative Community Communications NDA			380	380	400	400	400	400	400	400
116	SUBTOTAL	8,489	8,489	7,864	7,864	7,818	5,869	7,055	6,924	6,377	6,749
117	TOTAL EXPENDITURES	25,097	24,339	25,744	25,914	28,431	27,284	29,202	29,801	30,074	31,049
118	L. ADJUSTMENTS										
120	Encumbrance Adjustment	0	(435)		-	-	0	0	0	0	0
121	CIP - Designated Claim on Fund	0	0		1,234		0	0	0	0	0
122	TOTAL ADJUSTMENTS	0	(435)		1,234		0	0	0	0	0
123	FUND BALANCE	113	1,702	388	1,148	300	1,445	1,487	1,503	1,448	1,412
124	FUND BALANCE PER POLICY GUIDANCE ⁵	1,221	1,198	1,289	1,297	1,377	1,430	1,460	1,488	1,481	1,547
125	M. SUMMARY - EXPENDITURES BY FUNDING SOURCE										
126	Transfer to Gen Fund-Indirect Costs	403	403	420	420	564	441	461	481	503	503
127	Transfer to Gen Fund-Mont Coll Cable Fund ⁶	1,230	1,230	1,245	1,245	1,346	1,366	1,427	1,492	1,560	1,560
128	Transfer to Gen Fund-Public Sch Cable Fund ⁷	1,425	1,425	1,458	1,458	1,477	1,598	1,670	1,745	1,825	1,825
129	Transfer to CIP Fund	2,140	1,200	1,831	1,831	3,916	3,748	3,775	3,775	2,025	4,000
130	Transfer to the General Fund-Other	8,086	8,200	7,064	7,064	6,854	5,028	6,194	6,043	5,474	5,846
131	Transfer to the General Fund-Legislative Branch NDA	0	0	580	580	400	400	400	400	400	400
132	FUND TRANSFERS SUBTOTAL	13,284	12,458	12,597	12,597	14,557	12,581	13,927	13,936	11,787	14,134
133	Cable Fund Expenditure of Unrestricted Funds	7,610	7,501	8,543	8,542	9,469	9,908	10,285	10,696	11,141	11,611
134	Cable Fund Direct Expenditures	11,813	11,881	13,147	13,317	13,874	14,703	15,274	15,865	18,288	16,915

Notes: These projections are based on the Executive's Recommended budget and include the revenue and resource assumptions of that budget. The projected future expenditures, revenues, transfers, and fund balances may vary based on changes not assumed here to fee or tax rates, usage, inflation, future labor agreements, and other factors.

1. Subject to municipal pass-through payment.
2. Restricted revenue and expenditures: Certain Cable Fund revenues, required in excess of the federal limit on franchise fees, and corresponding expenditures (Municipal Franchise Fees/Pass-throughs, PEG Capital/Equipment Grants, and PEG Operating Revenue) are contractually required by franchise, municipal, and settlement agreements, and by the County Code, and may only be used for permissible federal purposes and in a manner consistent with applicable agreements.
3. The Comcast franchise renewal process has been recently initiated and specific elements of a final agreement are uncertain. Restricted categories such as PEG Capital and Operating support revenues, as well as Municipal Capital and Operating Support expenditures, will be affected. Municipal cost sharing is dependant on final negotiation of agreements between the County and municipalities. The County may require Capital Grants based on community needs. The County may negotiate, but may not require Operating Grants in addition to Franchise Fees. FY14-FY19 assumes that the County will require grants from Comcast calculated at the same rate as negotiated in the Verizon and RCN Franchises.
4. Montgomery Community Television, Inc., d/b/a Montgomery Community Media, is designated as a sole source contractor to provide community access media services.
5. Fund balance per policy guidance is calculated as 8% of total non-restricted revenues (franchise fees, tower fees, and investment income).
6. The Cable Fund makes a fund transfer to Montgomery College and MCPS to support MCPS ITV and MC ITV.

FY2014 CABLE PLAN

Open Government – Diversity – Innovation

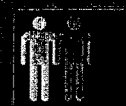


Cable Communications Plan



Driving awareness of openMontgomery, facilitating video search of government meetings and producing America's only collaborative weekly PEG newscast

Supporting Open Government



Distributing PEG resources to support outreach and engagement to Montgomery County's diverse ethnic communities

Serving Diverse Communities



Producing unique hyperlocal youth & civic TV, web and mobile content, including local Election 2014 coverage

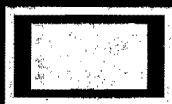
Unique Content on All Platforms



Expanding FiberNet, the communications backbone of the Digital County, to all elementary schools and expanding public WiFi to County recreation centers

Maintaining Vital Infrastructure

Enhancing the Digital County



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Innovative Approaches to Digital

PGB FY14 Plans

Implementing the four FY14 Strategic Priorities, the PEG Governance Board produces and distributes unique multiplatform content that promotes Open Government, life-long learning, diversity, arts, economic development and programming for underserved audiences. PGB is a conduit for effective communication across all technological platforms.

Open Government

- ✓ Use cable and online channels to drive audiences to openMontgomery
- ✓ Facilitate video search engine optimization for government
- ✓ Hyperlocal 2014 election multiplatform coverage

Collaboration

- ✓ Shared multiplatform content on County Report This Week
- ✓ Innovative youth media projects made available on-air and on-line
- ✓ Allocate resources to increase multicultural engagement

Measurement & Marketing

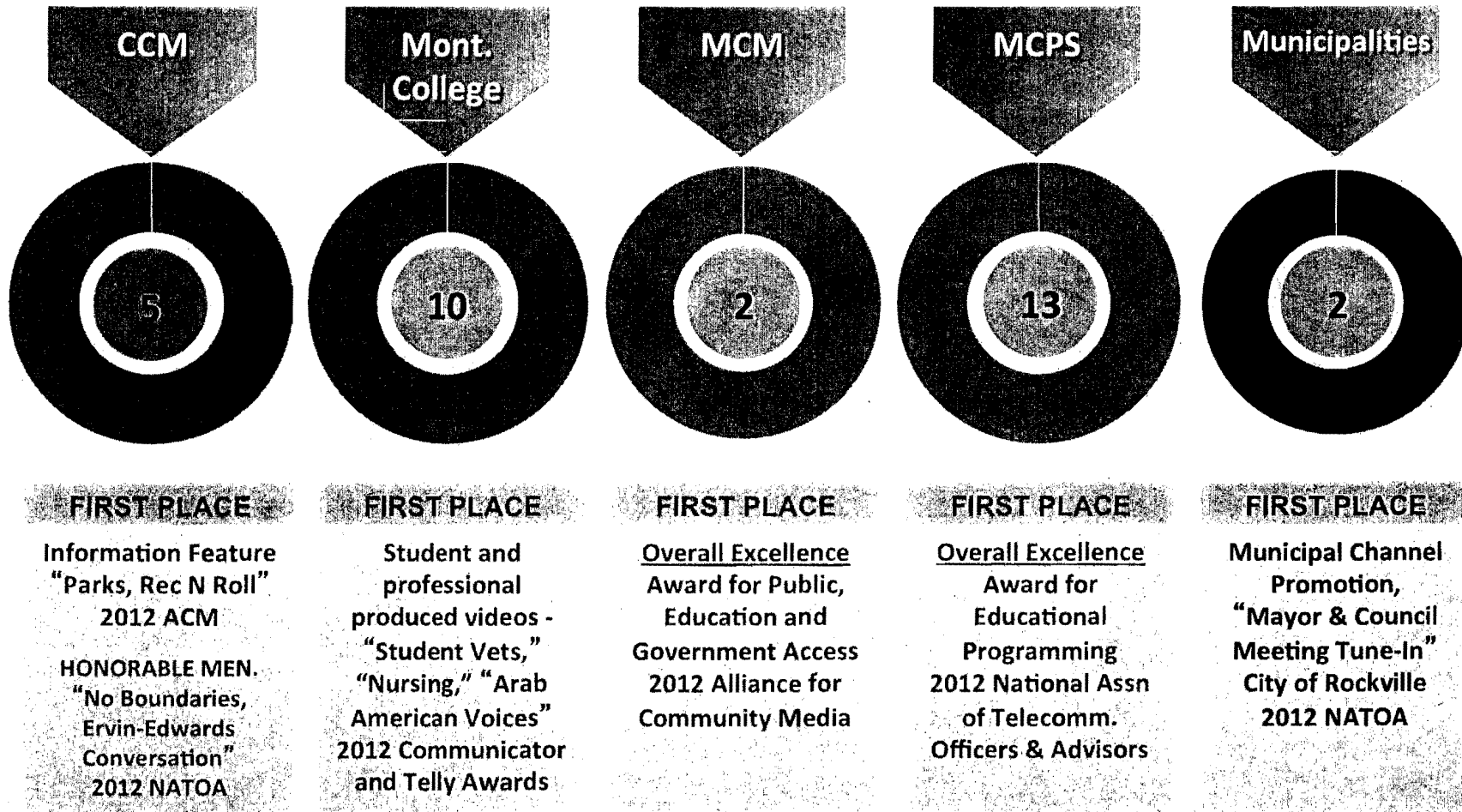
- ✓ Begin audience survey and obtain programmatic feedback
- ✓ Measure online & mobile audience
- ✓ Improve channel branding & cross-promote key programs to maximize awareness

Sustainability

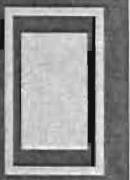
- ✓ Seek outside funding for targeted collaborative projects (Youth, Broadband/Digital Literacy, Veterans, and Health issues, for example)



Awards Won by PEG Channels in 2012



Shared PEG Audiences



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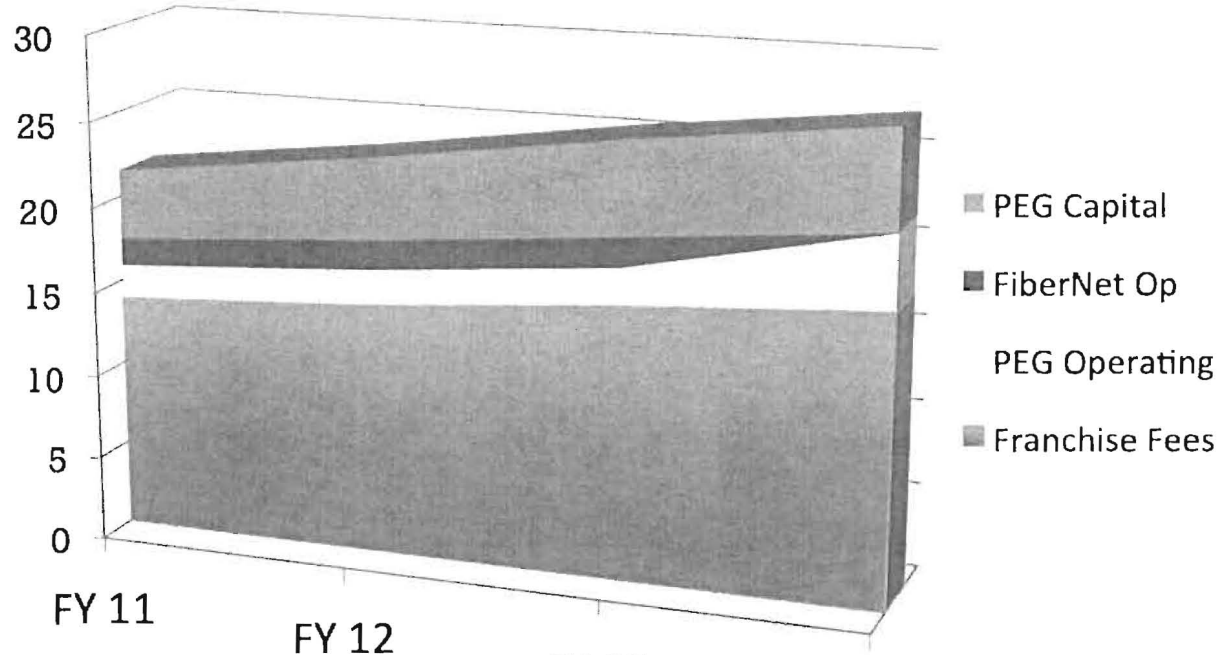
Cable Plan – Revenue Snapshot

Revenues

- ❖ Cable revenue continues to grow, but at a slower rate as Verizon completes its build out
- ❖ In FY12, cable revenues grew by 9% but subscribers only grew by 3%

Comcast Franchise Change

FY14 PEG Equipment & Operating Grant of \$4.3M replaces FY13 combined PEG and FiberNet Operating Grants of \$3.9M (pending franchise renewal)



FY 11

FY 12

FY 13

FY 14

❖ Actual FY12 revenue was \$168k less than estimated in FY13 budget

❖ FY13 includes 6-yr \$687K franchise fee audit settlement

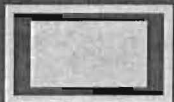
❖ FY14 projected 6% increase is less than est'd FY13 9% increase



Cable Plan – FY14 Overview

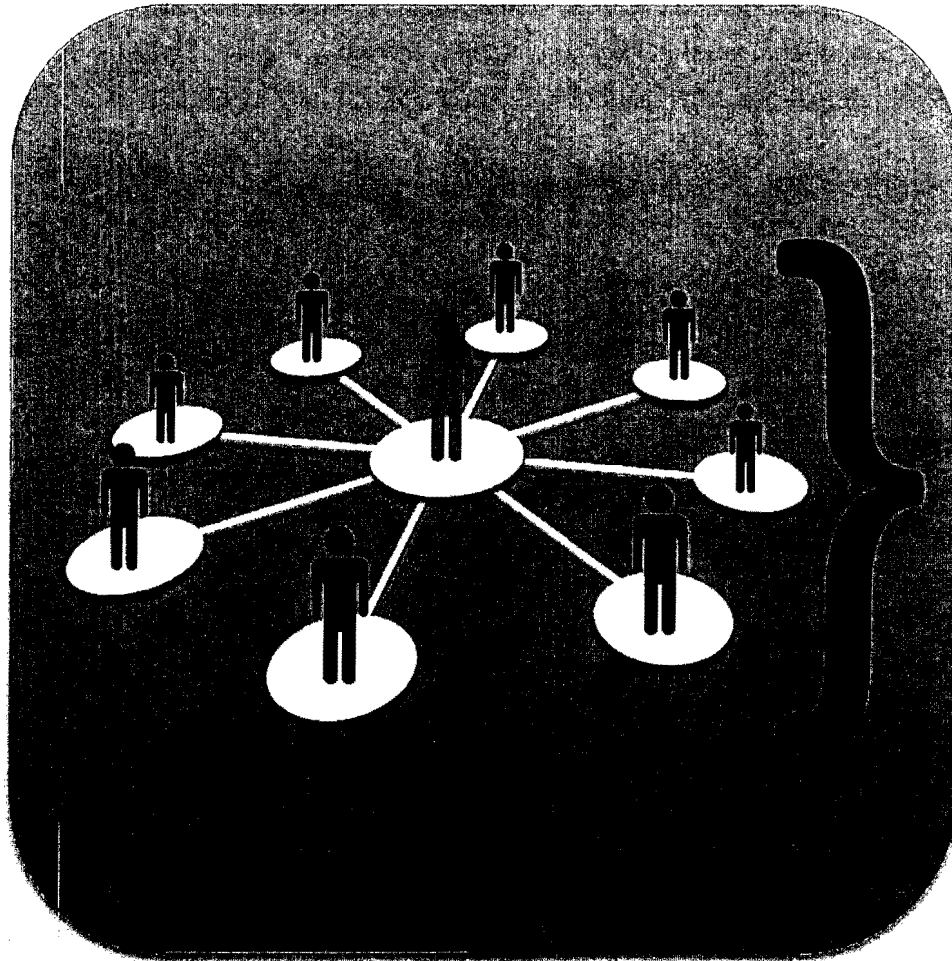
	Revenue	Expenditures
Fund Balance	\$503,000	-\$88,000
Unrestricted	\$1,080,000	\$1,047,000
Restricted	\$1,016,000	\$1,686,000
General Fund Transfer	\$0	-\$46,000
Total	\$2,599,000	\$2,599,000

- Fund balance is subject to change based on 3rd Quarter estimate and year-end actuals
- Restricted and unrestricted revenue and expenditures are dependent on completed Comcast franchise renewal and municipal-County agreements



(1)

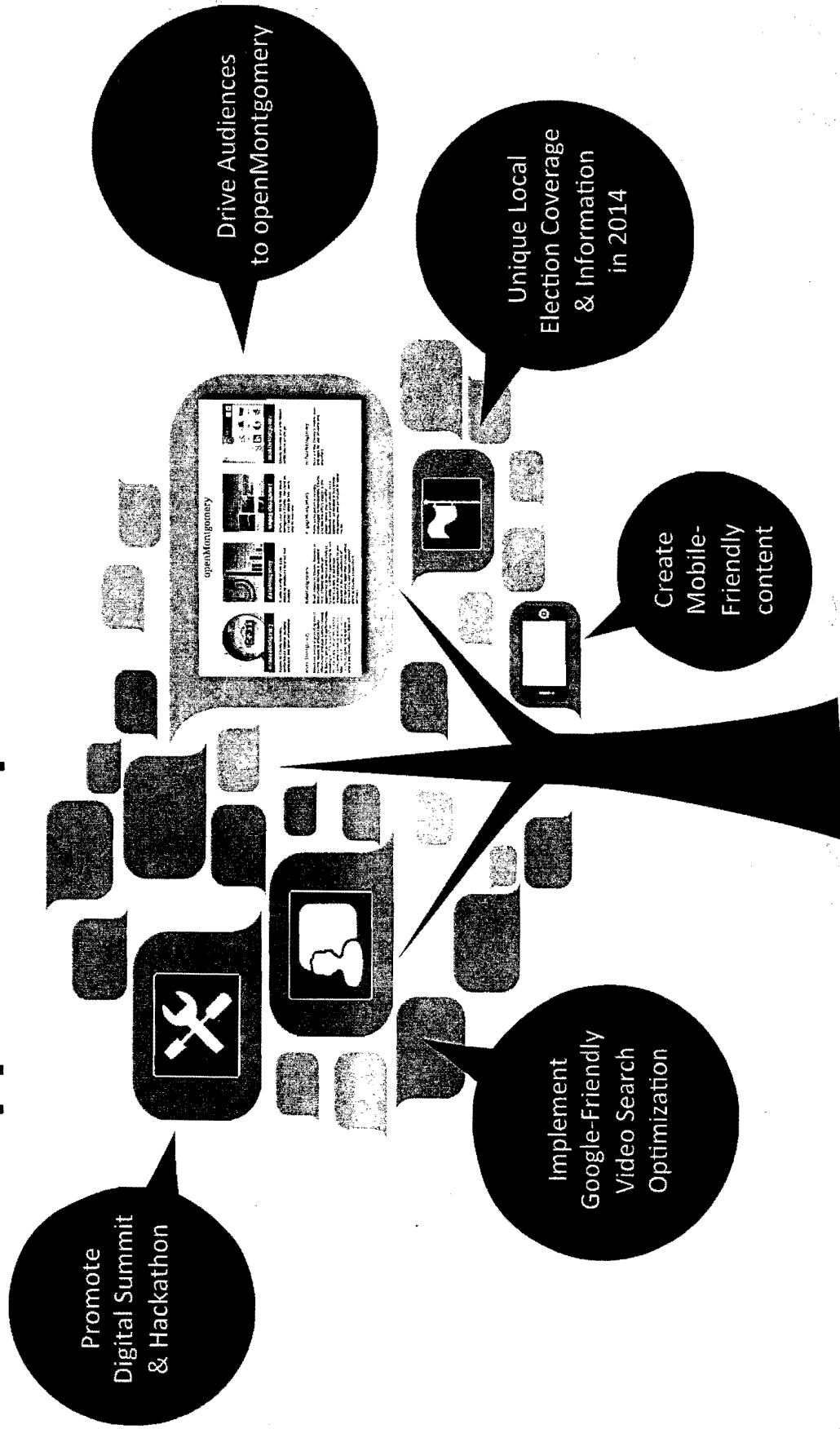
Supporting Government Communications with the Community



- ✓ 100 percent coverage of all Council general and commission sessions, beginning in FY13
 - ✓ \$58K increase in FY14 to sustain this effort
- ✓ Full-time contract funding to support diversity communications
 - ✓ \$46K increase in FY14 to support this initiative
- ✓ \$12K PIO operating support increase
- ✓ \$4K increase for public meeting coverage
- ✓ \$188K in \$400K Legislative NDA to support new Council initiatives



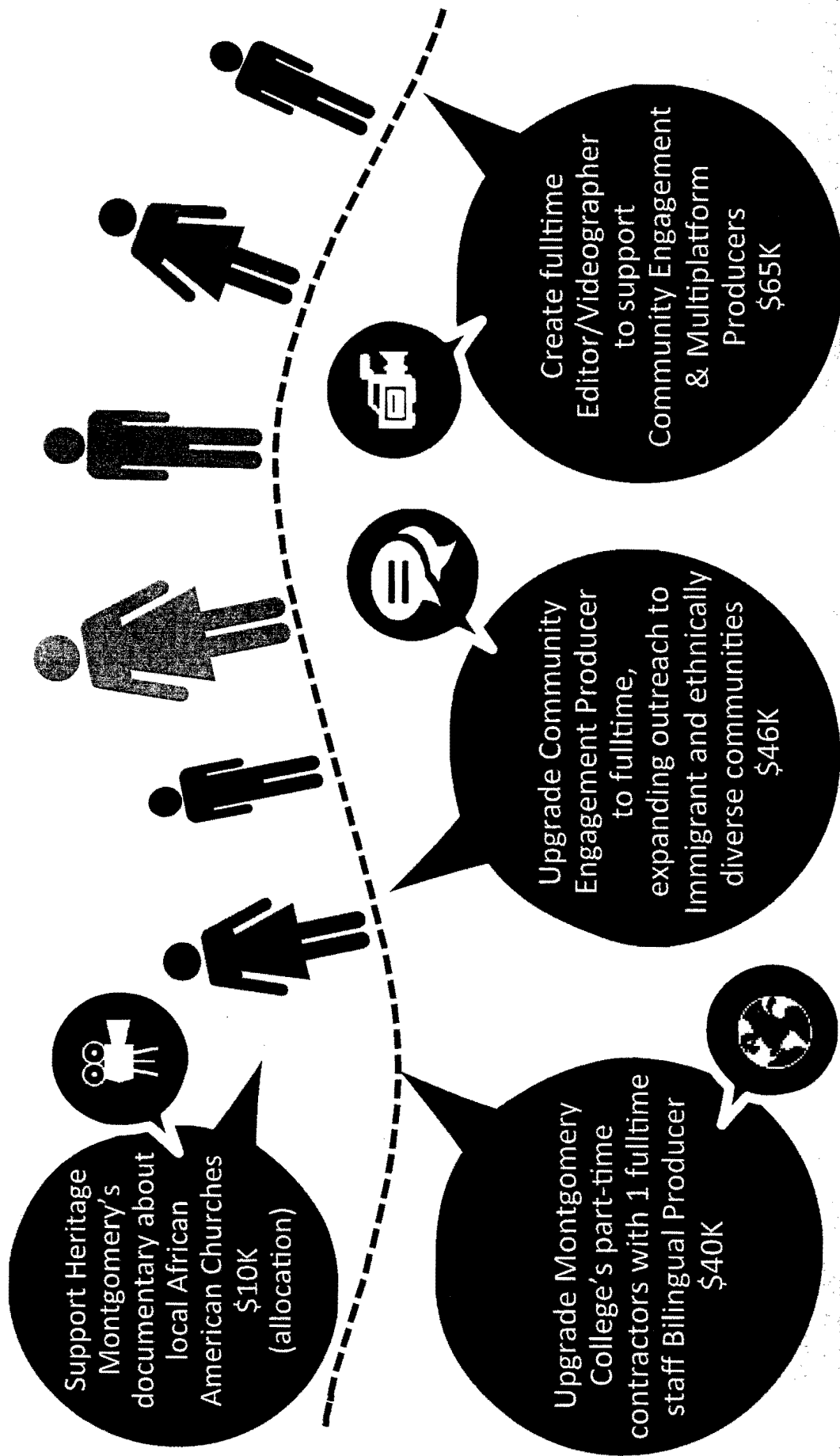
Support for Open Government



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New Activities in FY14 to Meet the Needs of Diverse Communities



Vital Infrastructure Support

FY14 Increase Request

<p>Increase FY13-18 CIP by \$1.4M in FY14 to complete hub terminations and pole remediation – will enable leveraging of new ARRA grant fiber capacity (Add'l \$1.3 increase in FY15)</p>	<p>FIBERNET CIP Amendment</p>	<p>\$1.4M</p>
<p>Non-Cable Fund additional FiberNet CIP funding from College to expand FiberNet to 4 MC locations and complete College FiberNet work – County and College FiberNet MOU executed in December 2012. (Add'l \$497K increase in FY15)</p>	<p>FIBERNET CIP Amendment</p>	<p>\$256K</p>
<p>Map underground facilities and increase contractor services to comply with 8-1-1 Miss Utility state law underground utility registration, notification and marking requirements</p>	<p>ENGINEERING</p>	<p>\$150K</p>
<p>Add ITPCC-recommended FiberNet staff position and increase DOT contract to support additional maintenance of 25% more FiberNet miles (constructed using ARRA-grant)</p>	<p>MAINTENANCE</p>	<p>\$235K</p>

Fast Fact:
FiberNet sites increased 32% in FY13

FY14 PEG Equipment budget and FY13 carryover will support enhancement of Silver Spring public Wi-Fi and study of future Wheaton Wi-Fi options. Expanded Wi-Fi in public buildings will continue in FY14.

Operational Support

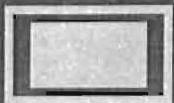
FY14 Increase Request

Increase technical training for staff	TRAINING	\$10K
Increase for Engineering support for design of inside building cable equipment and wiring	ENGINEERING	\$18K
Support digital hardware and software licensing, maintenance and warranties for PBG equipment	MAINTENANCE	\$81K
Vehicle fuel cost increases	MAINTENANCE	\$6K



PEG
Fast Fact:
Estimated FY14
YouTube views: 481K

FY14 budget contains employee salary and benefit increases for MCG (DTS, OCA, PIO, CC, DOT), MC, MCPS and MCM, as well as miscellaneous CPI-related or scheduled contract increases.



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PEG Outcomes and Initiatives

Local PEG Online	FY12 Stats
Unique Visitors	579,944
Page Views	1,855,484
VOD Views	35,200

FY12 Improvements



✓ 370,887 views
40% increase in YouTube views

3,742 Hrs



✓ 50% increase in locally produced programming

13,642 Hrs



✓ 10% increase in volunteer-produced programming

143 Hrs



✓ 81% increase in student-assisted original programming



• **Video Innovation** pilot to support use of video as a presentation tool (\$25K)



• **Youth Voices** media increase to support additional youth programming, internships, and youth-centric transmedia (\$25K)

2012 VIEWER INTEREST SURVEY Top Five Programs Categories

- Use of Tax Dollars
- Local News and Public Affairs
- Environment, Recycling and Conservation
- Local Performing Arts and Events
- Libraries and Library Author Series

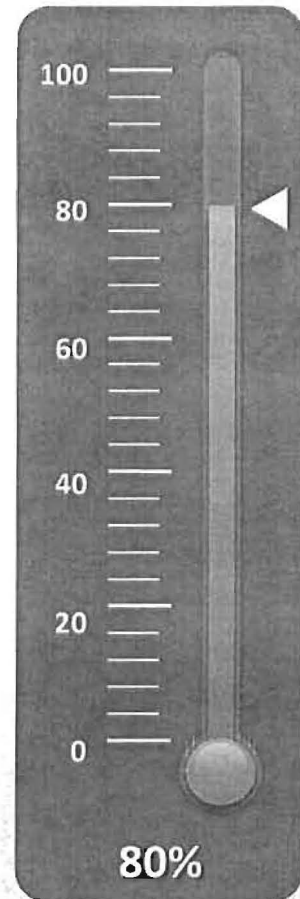


PEG Fast Fact:



Original programming produced in languages other than English will increase by 6.3% in FY14.

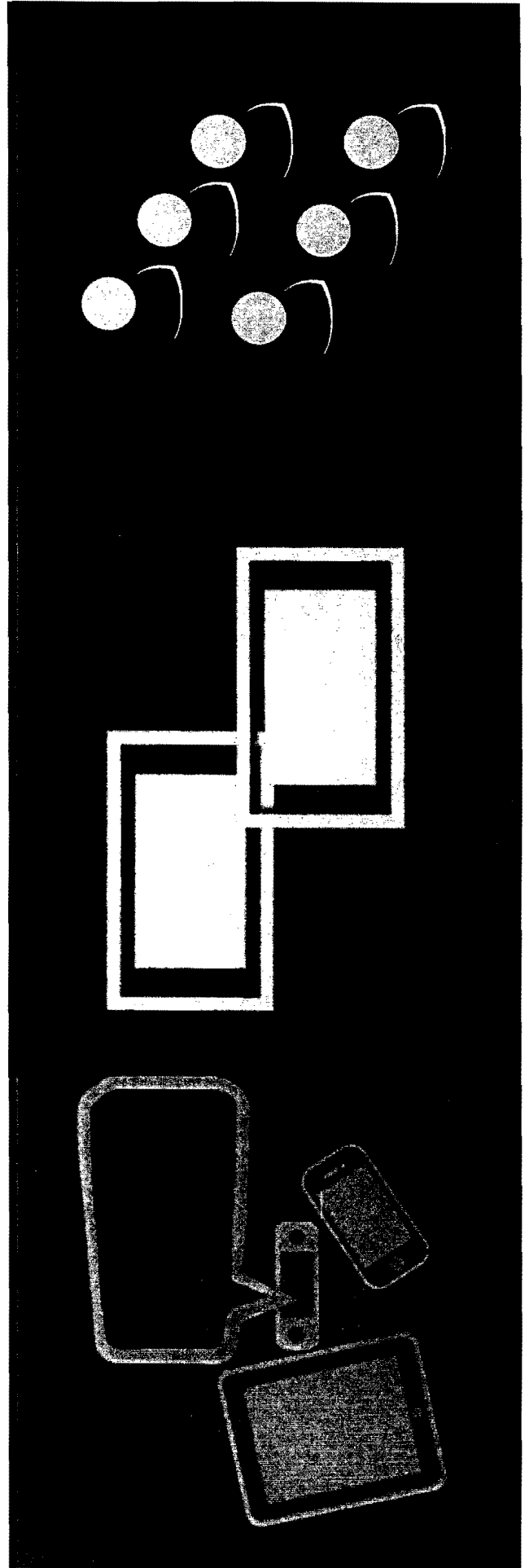
% of Cable Subscribers Who Want PEG





FY2014 CABLE PLAN

THANK YOU!





DEPARTMENT OF TECHNOLOGY SERVICES

Isiah Leggett
County Executive

Harash (Sonny) Segal
Chief Information Officer

MEMORANDUM

April 12, 2013

TO: Dr. Costis Toregas, IT Analyst for County Council

**FROM: Mitsuko R. Herrera, Cable & Broadband Communications Administrator,
Office of Cable and Broadband Services, Department of Technology Services**

**SUBJECT: Responses to County Council Questions regarding the County Executive
Recommended FY14 Cable Plan**

Question 1: What is the non-dedicated increase in Franchise Fee revenue?

FY14 estimated Franchise Fee Revenue of \$16,119,000 is \$1,110,000 more (7 percent increase) than the FY13 Approved Franchise Fee revenue and \$977,000 more (6 percent increase) than the FY13 Estimated Franchise Fee revenue. The increase reflects increases in cable rates, additional equipment charges and Verizon nearing the completion of its new construction phase.

For historical reference, in FY12, the latest fiscal year for which complete data is available, total cable subscribers grew by 2.8 percent over FY11 but total franchise fees grew by 7 percent over FY11. Both growth rates were less than in previous years, confirming the trend that while cable subscribers and revenues continue to grow, they are growing at a slower rate than at the height of Verizon's entrance into the market in FY09. Franchise Fee Revenues received in FY12 were 1.1 percent less than in the FY12 Approved Budget and the FY13 estimated Franchise Fee Revenues are 0.8 percent more than in the FY13 Approved Budget.

**Question 2: What will the Council engagement and County engagement positions do?
What is the scope of work for the addition of a Community Engagement contractor in the PEG budget (\$45,000)?**

The purpose of the Community Engagement production contractors is to reach out to cultural communities, including those for whom English may not be the primary language or for whom cultural customs or technology barriers may limit the effectiveness of mainstream communications. The Community Engagement producers will create media in different platforms (long and short form video, social media, web reporting, as well as daily weekly, monthly and quarterly) that represents the perspective or interests of these cultural communities, serve as on-air hosts and organizers of community forums or meetings, and be a liaison with cultural community media outlets to effectively promote County issues and engage with cultural communities.

Cultural communities is a broad term used to refer to the diverse communities of Montgomery County, including immigrant (31 percent of population), black or African American (18 percent), Latino (17.5 percent) and Asian (14 percent, including Chinese (3.9 percent), Indian (3.4 percent), Korean (1.8 percent), Filipino (1.3 percent) and Vietnamese (1.2 percent)) communities. The new funding in FY14 is intended to supplement current positions in the Council, Public Information Office and Montgomery College that support Spanish-speaking producers.

In essence, the cultural engagement producer has journalism and video production skills and the experience or the ability to provide outreach to communities who have not traditionally engaged with County. For example, when County small business initiatives are proposed, the community engagement producers could engage the Korean American Women's or Asian Pacific American or African American or Hispanic Chamber of Commerce chapters located in Montgomery County to seek their input about the issue, arrange to have the issue raised at local chapter meetings, host a televised forum for, create video news stories, and engage these communities.

The PEG Operating Community Engagement producer contract will be managed by the Office of Cable and Broadband Services to support the missions of Montgomery County, Montgomery County Public Schools, Montgomery College and Montgomery Community Media, while the Council Community Engagement producer contract will be managed by the County Council Office of Legislative Information to support goals as directed by the County Council.

Question 3: How can the legal budget of \$275,000 be the same for FY12, 13 and 14? It is understandable that such a large amount was spent in FY13 because of franchise negotiations, but explain the 2012 number.

The Legal and Professional Services budget is used to address legal and regulatory issues related to enforcement of the cable franchises and cable rate regulation cable and broadband consumer issues (e.g., customer service, equipment fees and carriage of local cable channel information on on-screen program guides), communications tax and franchise fees, occupation and management of public rights-of-way used by communications companies, siting of wireless communications towers and antennas, and

public safety communications networks. Funding is used to provide advice, draft comments for filing at the Federal Communications Commission (FCC), provide subject matter research and expertise and support for lobbying Congress, the Maryland General Assembly, and the FCC, and for legal analysis, document drafting and consulting services related to franchise enforcement and renewal.

In FY12, \$272,000 in Legal and Professional Services were used as follows:

- 36 percent to support the Comcast Cable Renewal (the renewal process began in 2010);
- 28 percent to support enforcement of cable franchises, rate regulation and audits (resulting in a \$687,000 settlement of underpayment of franchise fees and total customer rate regulation refunds of \$90,000 over two years);
- 18 percent filing comments in FCC proceedings, addressing issues including demonstrating that local government right-of-way fees and customer service regulation do not impede broadband deployment, demonstrating the rising rate of cable prices, the need to require cable operators to make customer equipment available for sale and the need to require cable operators to make local PEG program information available on on-screen guides; and
- 18 percent support County lobbying efforts to designate spectrum for and fund public safety communications networks (resulting legislation was included as part the Middle Class Tax Relief Act of 2011), changing federal law to allow PEG grants to be used for capital or operating expenses, and delaying legislation that would limit the ability of local governments to tax mobile communications services.

The Legal and Professional Services funding requested and allocated in FY12-14 represents a reduction of more \$100,000 than what had been allocated in FY07-09 prior to the Great Recession and hiring of a Cable & Broadband Administrator with a legal skill set.

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If you have additional questions, please let me know. I look forward to addressing these and other issues before the Government Operations Committee and Council in the coming weeks.

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