



New England Cable & Telecommunications Association, Inc.

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November 10, 2009

Honorable Barry J. Hobbins, Senate Chair
Honorable Jon Hinck, House Chair
Joint Standing Committee on Utilities and Energy
100 State House Station
Augusta, Maine 04333-100

Re: Public Law, Chapter 548, 123rd Legislature, An Act To Amend Cable Television Laws and Establish a Model Cable Franchise Agreement.

Dear Chairman Hobbins and Chairman Hinck,

The New England Cable & Telecommunications Association, Inc (NECTA) represents substantially all cable television providers in the six New England states. NECTA participated in the process that created the Model Cable Franchise Agreement. The cable television industry supports the final product with the following qualifications.

The intent of the process was to create a document that would aid communities in the franchise negotiation process. It is important to note that the model is provided as a resource and is not binding on either party in a negotiation. Franchises are by nature creatures of local community need and must be tailored to address the requirements of individual cities and towns. Two adjoining towns might have opposite opinions on public access, franchise fees, or other issues. That is why it was essential that the Model Cable Franchise Agreement serve only as a resource and not a binding mandate on local communities or franchisees.

NECTA and its members are grateful to Phil Lindley for his work in stewarding the parties through the yearlong process. He took this project on voluntarily and worked extremely hard to bring the process to a positive conclusion. We appreciated the opportunity to participate in the creation of the Model Cable Franchise Agreement and look forward to working with the committee in the coming session.

Sincerely,

William D. Durand
Executive Vice President
Chief Counsel