

# **Spotsylvania County**

## **Cable Television and Telecommunications Commission**



***2009 ANNUAL REPORT***

**August, 2010**

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## **Spotsylvania County Television and Telecommunications Commission**

### **2008 Annual Report**

The 2008 Annual Report was submitted to the Board of Supervisors in August of 2009.

### **Mission of the Commission**

The Spotsylvania County Cable Television and Telecommunications Commission (CTTC) was created as an advisory group to the Board of Supervisors. The CTTC promotes and encourages compliance with the franchise agreement among the cable companies operating within Spotsylvania County, reviews and advises the Board on cable, telecommunications and local infrastructure issues, and promotes the use of PEG channels to keep citizens informed.

### **Bylaws**

The CTTC follows the bylaws as established in Spotsylvania County Code, Chapter 2, Article 2, Division 5, Cable Television and Telecommunications Commission, as follows:

#### **Sec. 2-101. Definition.**

- (a) As used in this division, the term "commission" shall mean the cable television and telecommunications commission created by section 2-102.
- (b) "PEG", as used in this division, is an acronym for "public, educational and governmental" access facilities relating to:
  - (1) Channel capacity designated for public, educational, or governmental use; and
  - (2) Facilities and equipment for the use of such channel equipment.(Ord. No. 2-13, 6-27-00)

#### **Sec. 2-102. Created.**

There is hereby created, in and for the county, a commission to be known as the cable television and telecommunications commission. (Code 1980, § 20.1-1; Ord. of 7-28-87(3); Ord. No. 2-13, 6-27-00)

#### **Sec. 2-103. Composition; qualification of members.**

The cable television and telecommunications commission shall consist of seven (7) voting members and five (5) non-voting members as follows:

- 1) The seven (7) voting members shall be appointed by the board of supervisors and shall consist of one (1) resident of the county from each election district.
- 2) The five (5) non-voting members shall be the county administrator or his designated representative, the school superintendent or his designated representative, the director of information services or his designated representative, the director of the Central Rappahannock Regional Library or his designated representative, and the director of information services for Germanna Community College or his designated representative. The commission shall have the ability to increase the number of non-voting members from time to time as may be warranted.

(Code 1980, § 20.1-3(A); Ords. of 7-28-87(3); 5-9-89(1); Ord. No. 2-1, 3-27-90; Ord. No. 2-13, 6-27-00)

**Sec. 2-104. Terms of members.**

- a) Each of the seven (7) voting members appointed by the board of supervisors shall be appointed to four-year terms.
- b) The five (5) non-voting members shall be permanent commission members.

(Code 1980, § 20.1-3(C), (D); Ords. of 7-28-87(3); 5-9-89(1); Ord. No. 2-1, 3-27-90; Ord. No. 2-13, 6-27-00)

**Sec. 2-105. Chairperson.**

The chairperson of the commission shall be selected from the seven (7) voting members.

(Code 1980, § 20.1-3(B); Ords. of 7-28-87(3); 5-9-89(1); Ord. No. 2-1, 3-27-90)

**Sec. 2-106. Purposes and duties.**

The purposes and duties for which the commission has been established are as follows:

- (1) Review and consider subscriber complaints regarding grantee services and operations; assist in resolving disputes regarding the conduct and performance of the grantee in accordance with the cable television ordinance and franchise;
- (2) Make an annual report on the status of local cable television and telecommunications operations in the county and the activities of the commission. This report shall also include the status and activities of any regional operations group in which the commission may participate as a result of the cable service provider's interconnected PEG channel network;
- (3) Advise and assist the board of supervisors by reviewing, recommending and coordinating the deployment and use of advancing cable television and telecommunications technologies; informing the board of potential opportunities to improve the technical capabilities of local and regional cable television and telecommunications systems; assist the board of supervisors by providing the oversight function for the operation of the local PEG channel network and providing such representatives as may be required to serve on a regional operations group for the larger community network;
- (4) Develop ways and means for promoting and utilizing the cable television system to further the objective of increased public participation and awareness of local government activities and events of regional significance; identify and recommend public and private funding sources to create, provide, expand and improve cable television and telecommunications content and services in the public interest;
- (5) Advise and assist the board of supervisors in the consideration of the purchase of cable and related telecommunications equipment to achieve the stated objectives;
- (6) Formulate recommendations to increase in-house governmental communications via the cable system;
- (7) Advise the board of supervisors with regards to proposed rate changes for cable services;
- (8) Monitor the activities and operation of the grantee to ascertain compliance with the requirements of the franchise; meet with representatives of the grantee as necessary to resolve problems and facilitate cable operations consistent with the franchise requirements;
- (9) Keep the board of supervisors apprised of changes in FCC regulations and other statutes affecting the cable ordinance and system;
- (10) Encourage the use of public access channels among a broad range of individuals, groups and institutions within the county; make recommendations of general policy to grantee relating to the use of public access channels;
- (11) Assist the board of supervisors in the overall process of cable franchisement, as required by the board of supervisors;

(12) Conduct periodic informal hearings to solicit and evaluate subscriber views of cable service.  
(Code 1980, § 20.1-2; Ord. of 7-28-87(3); Ord. No. 2-13, 6-27-00)

**Sec. 2-107. Meetings.**

- (a) The commission shall meet at least six (6) times per year. Additional meetings may be held, as required, and shall be called by the chairperson upon a minimum of ten (10) days notice to all members. Such notice may be waived upon the presence and consent of all members at any meeting called by the chairperson.
- (b) All meetings shall be open to the public in accordance with the Virginia Freedom of Information Act (Code of Virginia, § 2.1-390 et seq.).
- (c) Quorum and method of voting.

- (1) Current members of the commission are referred to as "active" members. A "quorum" is defined as the minimum number of officers and members of a constituted body who must be present for the valid transaction of business. The number necessary to represent a quorum for the commission is the majority of active members.
- (2) If a member misses three consecutive meetings during a year, the board of supervisors has the option to declare the member an "inactive" member. An "inactive" member is then sent a letter from the director of information services requesting their intention in serving as a member of the commission. If it is the desire of the member to step down, the commission will request the board of supervisors to appoint a successor. However, if the member wishes to continue to serve on the commission, he is to contact the director of information services stating his intentions to continue his service on the commission.

(Code 1980, § 20.1-3; Ords. of 7-28-87(3); 5-9-89(1); Ord. No. 2-1, 3-27-90; Ord. No. 2-13, 6-27-00; Ord. No. 2-15, 6-14-05)

## CTTC Members

Current voting CTTC members are as follows:

<b>Battlefield</b>	<b>Jason Greenwood</b> Email: <a href="mailto:jgreenwood.wfg@gmail.com">jgreenwood.wfg@gmail.com</a>	<b>Exp. 10/14/12</b>
<b>Berkeley</b>	<b>Larry Raymond</b> Email: <a href="mailto:poriver1@verizon.net">poriver1@verizon.net</a>	<b>Exp. 9/11/11</b>
<b>Chancellor</b>	<b>Herbert W. Pritchett, Sr.</b> <b>(Chairperson)</b> Email: <a href="mailto:hwpritchettsr@yahoo.com">hwpritchettsr@yahoo.com</a>	<b>Exp. 10/25/12</b>
<b>Courtland</b>	<b>Dwayne Reynolds</b> Email: <a href="mailto:reynoldsjd@comcast.net">reynoldsjd@comcast.net</a>	<b>Exp. 11/13/11</b>
<b>Lee Hill</b>	<b>Bradley R. Cobb</b> Email: <a href="mailto:braycobb@verizon.net">braycobb@verizon.net</a>	<b>Exp. 1/10/14</b>
<b>Livingston</b>	<b>Kirk Twigg</b> Email: <a href="mailto:kirk.twigg@l-3com.com">kirk.twigg@l-3com.com</a>	<b>Exp. 8/10/14</b>
<b>Salem</b>	<b>Joseph McBride</b> <b>(Vice Chairperson)</b> E-mail: <a href="mailto:jgmcbride@verizon.net">jgmcbride@verizon.net</a>	<b>Exp. 2/25/11</b>

## Chairman and Vice-Chairman

In January 2009, motions were passed to maintain the current members' positions. Herbert Pritchett will remain Chairman and Joseph McBride will remain Vice Chair.

## Reappointments

In January 2010, Brad Cobb was reappointed as the Lee Hill District Commission representative.

## Meeting Frequency

The CTTC meets on the second Thursday of each month. Information regarding meetings, minutes, and agendas can be found at <http://www.spotsylvania.va.us/departments/infoserv/cablecom/>.

## Staff Contacts

Jane Reeve, Deputy Director, Information Services  
Karen Karkos, Secretary to Commission  
Chris Hinzeman – School Board Information Technology Representative  
Chris Glover – CRRL Information Technology Representative  
Jacque Hirsch – GCC Information Technology Representative

## Complaints/Comments

Customer service complaints should be directed to the respective cable company, as noted:

COMCAST	800-COMCAST (266-2278)
COX	540-373-6343
Verizon	800-VERIZON (1-800-837-4966)

Unresolved customer complaints, franchise agreement questions, and all other comments and/or questions should be directed to [cabletv@spotsylvania.va.us](mailto:cabletv@spotsylvania.va.us), or 540-507-7560.

## **Cox Communications**

### **Overview**

Cox Communications provides service to 864 customers in Spotsylvania County, primarily in the Northeast area of the county. Customer service contact information for Cox is 540-373-6343.

The Cox Franchise Agreement expires in January 12, 2013.

### **Program Offerings and Service Fees**

See a list of Cox's current service offerings and fee schedules at <http://ww2.cox.com/residential/northernvirginia/home.cox>.

### **Customer Service**

Cox had a rate increase in April of 2009.

### **Transition to Digital Service**

Over the past year, Cox Communications has made changes to their video programming where they have added channels, along with approximately 12 more HD channels, and launched 4 of 6 movie-on-demand channels,. In addition, they have made changes to their music choice channel line-up, along with a MHz Networks Channel realignment.

### **Service Expansion Plans**

At this time, Cox has no plans to expand further into the County.

## **Comcast**

### **Overview**

Staff estimates that Comcast provides service to approximately 65% of the County. Customer service contact information for Comcast is 800-COMCAST (266-2278).

The Comcast Franchise Agreement expires on July 7, 2012.

### **Program Offerings and Service Fees**

See a list of Verizon's current service offerings and fee schedule at <http://www.comcast.com/default.csp>.

### **Customer Service**

Comcast did no build-outs in the Lake Anna area in 2009.

The county continued to receive numerous complaints in 2009 related to Comcast customer service, and their quarterly customer service statistics frequently reflect results inconsistent with expectations outlined in the franchise agreement.

Comcast indicates that during 2010 there will be continued emphasis on improving the customer experience with Comcast.

### **Transition to Digital Service**

Comcast converted the History channel, as well as the Richmond local channels, to digital effective August 10, 2009. This enables Comcast to be able to simulcast some of the channels in both analog and digital format. The Cartoon Network was also part of this transition.

Comcast will eventually take their complete expanded basic lineup and convert it all over to digital, with analog format no longer available.

They have increased the number of channels carried on Limited Basic. However, in light of the recent channel moves, a customer may have to take advantage of a converter box to be able to watch those programs. This would also include the Richmond local channels.

When all providers switched to digital channels according to the FCC mandate, there were significant citizen complaints. As a result, a Comcast representative appeared before the Board of Supervisors on September 8, 2009 to explain what transpired regarding the channel changes now and in the future, and the difference between analog and digital channels.

Limited basic channels will continue to be carried on analogue until the complete changeover takes place.

Comcast is currently offering numerous HD channels to their customers.

In order to meet customer demand for more programming, Comcast has transitioned some of the analog channels on Standard Basic to digital. In addition, some of the PBS channels have requested migration from analog to digital so they can expand their channel offerings. The channels that have gone digital remain on either the Limited Basic or Standard Basic tier but do require a converter box to view the programming. As technology progresses and demand for more programming increases, the industry as well as Comcast will migrate all the Standard Basic channels to digital. At this time it is anticipated that the Limited Basic channels will continue to be carried on analog.

Comcast is currently offering numerous HD channels and HD Video on Demand programming to their customers.

### **Service Expansion Plans**

Comcast, on demand, communicates with the county through the Cable Commission on future expansion plans to deploy services into unserved areas of the county. Comcast has an obligation to meet an 18 homes per mile expansion plan, and is working with the county closely to ensure that all areas where economically appropriate that meet this density requirement are addressed. Comcast and the county are working together to identify areas that meet franchise agreement terms for service expansion, and will develop a plan for presentation to the Board of Supervisors in 2010.

## **Verizon FIOS**

### **Overview**

Staff estimates that Verizon provides service to approximately 5,000 customers. Customer service contact information for Verizon is 800-VERIZON (800-837-4966).

The Franchise Agreement with Verizon expires in October 25, 2021.

### **Program Offerings and Service Fees**

See a list of Verizon's current service offering and fee schedule  
<http://www22.verizon.com/Residential/FiOSTV/Plans/Plans.htm#plans>.

### **Customer Service**

Verizon has consistently addressed customer service complaints in a timely manner, within the terms of the franchise agreement. The most common complaint received by the County in 2009 related to Verizon service has been the lack of consistent information related to availability of services throughout the county, and the lack of services available in populated areas. Outside of the county's franchise jurisdiction, but within the realm of availability of broadband services, another common complaint has been the lack of availability of DSL services in rural parts of the county. This complaint has been brought to the attention of Verizon, and numerous discussions are taking place on how to resolve this issue.

### **Transition to Digital Service**

Verizon is a fully digital service.

### **Service Expansion Plans**

Verizon continues its efforts to meet its franchise commitment in the Lee's Hill wire center by October 2010, and is expected to complete its expansion in that area on time. Verizon has an obligation to meet a 30 homes per mile expansion plan in the Lee's Hill wire center, and is working with the county closely to ensure that all areas within this wire center that meet this density requirement are addressed. Verizon and the county are working together to identify areas that meet franchise agreement terms for service expansion, and will develop a plan for presentation to the Board of Supervisors in 2010.

### **Telecommunications/Cell Towers**

Little cell tower expansion activity has occurred in the County during 2009. Verizon and AT&T both expressed initial interest in new tower construction or co-location on existing towers; however, no further action was requested by either vendor.

The Lake Wilderness public safety communications tower was completed and in production May 2009.

### **Rural Wireless Broadband**

The Commission continues to work on efforts to expand broadband coverage throughout the county through collaboration with existing franchise providers, as well as exploration of wireless technologies such as Cricket, Ntelos, and other competitive vendors.

### **School Board Information Technology**

The schools have completed running point-to-point fiber throughout the County to connect schools to the technology office. The schools did collaborate with the County on fiber sharing to save construction and monthly recurring costs and prevent fiber build-out redundancy; however, County fiber funding was pulled due to the economy and budget shortfall.

### **Central Rappahannock Regional Library (CRRL) Information Technology**

The Library completed a 10,000 square foot addition to the Salem Church Branch. The Branch re-opened on March 3, 2009 with 49 new public access computers. Four additional T1 circuits were added to accommodate increased bandwidth demands. Two additional T1 circuits were added at the Snow Library Branch to support the branch's 12 public access computers. Both branches also support 24/7 Wi-Fi access.

### **Wireless Service Authority**

The Wireless Service Authority plan went in front of the Board in January 2009 and a Public Hearing was held on February 12, 2008. The Resolution (#2008-21) was adopted and passed unanimously by the BOS at the February 12, 2008 meeting, and the Spotsylvania County Wireless Authority was incorporated with the SCC on February 5, 2009.

### **Public Broadcasting on PEG Channel**

It was determined that the existing Public Access Policy needed to be reviewed and reviewed by the Commission, and is anticipated to be finalized and submitted to the Board of Supervisors in late Spring, 2010.

### **Methodology of 18 Homes per Mile**

There has been much discussion throughout the year on how each service provider determines their respective rule of homes/per/mile. We were informed from each of the providers as follows:

#### **Cox**

Cox's methodology on determining the rule of 18 homes per mile is if they get a call that someone wants service, they measure from that house back to an existing tap that they can feed them from and they count everything in between. If it meets 18 homes per mile, they build it. If not, they give them a price on what it is going to cost and ask them if they would like to pay for it. If the last half mile of houses has only 17, and this one house is ½ mile away, then they do not meet the 18 homes per mile. However, the bottom line is that Cox wants every customer they can get. If it is a viable rate of return, they will build it.

#### **Comcast**

Comcast's general description of their methodology on determining the rule of 18 homes per mile is not based on incremental additions to a mileage radius. It is based on the closest point where Comcast can connect to their infrastructure, which is the starting point, and not what is already in place and on the ground. It is based on 18 homes per contiguous mile and 18 homes within that mile. If there is an area served, it runs from where they can interconnect with Comcast's existing plant [which is not necessarily where that last home per mile may be] to the next 18 homes that are not served in the next mile. If there are 18 homes that are served, and there is an additional home that is down the road from it, they will feed it by a drop, when a drop will work. If they have to construct main line infrastructure, then there has to be 18 homes per mile, or some semblance of that, for them to construct to it.

#### **Verizon**

Verizon's general description of their methodology on determining the rule of 30 homes per mile is they measure from the nearest access point of the fiber. There has to be a handhold, external or a splice point, i.e., somewhere they can physically access the fiber. They measure the distance from there to the point in question, using either the right-of-way, or the private easement, (i.e., they do not go from the point on the fiber directly to the house. They measure it using whatever public right-of-way or easement they have to go past those houses.

The Commission is making it an objective in 2010 to establish a clear definition of homes per mile, along with a mitigation strategy for future negotiations when there is disagreement between the County and the service provider.

### **Live Broadcast Meetings from Remote Locations**

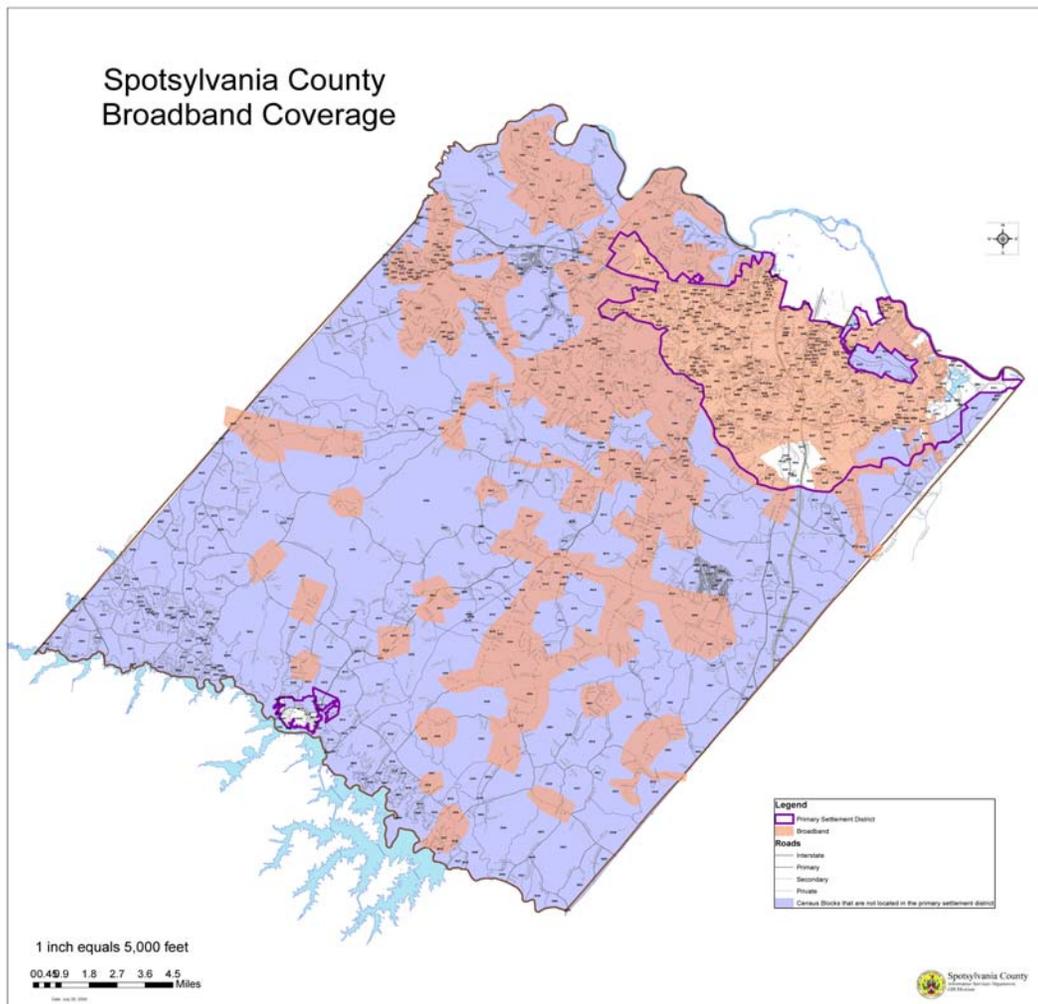
An issue arose regarding live-broadcast meetings from the Holbert Building, where they were not broadcast live over Verizon FiOS. After working with Verizon and County vendors, staff identified and implemented a resolution to this problem.

### Poor Audio during Live Meetings

Issues related to customer-reported poor audio and video during some live Board Meetings were published in an article appearing in the Free Lance-Star newspaper. This was identified as a service provider issue. The customer needs to report it to their provider and it can be resolved in the field by a service call.

### Map of Cabled Broadband Areas

In 2008, the state collaborated with broadband service providers and developed a state-wide map of broadband service availability. The County's GIS department refined the data to remove wireless broadband, and developed the map in Figure 1, which gives a basic representation of where cabled broadband services are located throughout the jurisdiction. Efforts to improve broadband capabilities throughout the County are a prime initiative of the Commission for 2010.



**Objectives for 2010**

- Continue to monitor levels of service of the three cable companies franchised to do business in Spotsylvania County, and regularly report findings to the Board of Supervisors.
- Continue to expand information available on the County's website related to cable and telecommunications initiatives. In 2009, the County has added a list of alternative satellite sites for those citizens who are unable to receive service at this time from any of our three service providers.
- Explore feasibility of acquiring rate regulation of basic cable service from the FCC.
- Develop proposal requirements for a possible public/private partnership to provide wireless broadband services in rural areas of the County.
- Complete revision of the Public Use Policy for presentation to the Board of Supervisors.
- Begin work on Franchise Agreement renewal for Comcast
- Begin work on Franchise Agreement renewal for Cox
- Standardize definition of number of homes per mile for all three providers
- Standardize reporting requirements for all three providers
- Standardize definition of number of homes per mile for all three providers
- Establish mitigation procedures in the event of disagreement between providers and the County of service coverage.
- Develop service expansion plans for regular presentation to the Board of Supervisors