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STATE OF VERMONT
PUBLIC UTILITY COMMISSION

CASE NUMBER 19-4845-PET

JOINT PETITION OF SOUTHERN VERMONT
CABLE COMPANY (SVCC) AND COMCAST

February 3, 2020
6:30 p.m.

19 River Road South
Putney, Vermont

Public Hearing held before the Vermont Public
Utility Commission at the O'Brien Auditorium at
Landmark College, 19 River Road South, Putney, Vermont
on February 3, 2020, beginning at 6:30 p.m.

P R E S E N T

Hearing Officer: Micah Howe, Staff Attorney

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1 HEARING OFFICER HOWE: All right. Good
2 evening, everyone. Can you hear me okay? Great. We
3 are here tonight for a public hearing in Case Number
4 19-4845-PET, which involves a joint petition by
5 Southern Vermont Cable Company to sell substantially
6 all of its Vermont assets to Comcast and for a CPG for
7 Comcast to own and operate Southern Vermont Cable
8 Company's television system.

9 My name is Micah Howe, and I'm a staff attorney at
10 the Public Utility Commission. The purpose of this
11 segment of tonight's meeting is to hear from you,
12 members of the public, about the proposed acquisition.
13 Today's hearing is not the only opportunity to submit
14 comments. You can also provide written comments
15 through the Commission's electronic document management
16 system, which many people have already done. We've
17 received quite a few comments in this case.

18 You can also submit comments by direct mail or
19 email. Just be sure to reference the Case Number
20 19-4845-PET when submitting your comments. You can
21 also subscribe to this case in our document management
22 system, ePUC, and receive email notifications when
23 documents are filing, are filed in the rulemaking. I
24 have placed -- yes, sir?

25 AUDIENCE MEMBER: It's hard to hear. Do you

1 have a mic or something?

2 HEARING OFFICER HOWE: I don't have one.
3 I'll try. I'll yell louder. Oh, okay.

4 AUDIENCE MEMBER: Could you repeat your name
5 and that number again, please?

6 HEARING OFFICER HOWE: Yes. It's Micah Howe.
7 I'm a staff attorney at the Public Utility Commission,
8 and the case number is 19-4845-PET. I have placed a
9 few handouts -- sorry about that -- up on the back
10 there on participating and finding our websites and
11 getting involved in the process. I also placed several
12 copies of the schedule in the case, and that will have
13 the case number on it if people are interested.

14 This hearing is being transcribed by a court
15 reporter, and a transcript of the hearing will be
16 available on ePUC, along with all of the other
17 documents filed in this case. If you wish to speak
18 tonight, there was a sign-in sheet that was up in the
19 back. I have it here now. I've got a number of names
20 on it. If you didn't see it and didn't sign in and do
21 wish to speak, just let me know, and I can bring it up
22 to you. The, the sign-in sheet is just to help the
23 court reporter keep names straight on, on the record.

24 So, at this point, we'll open up the floor to
25 public comments. I see we've got microphones on either

1 side. So I'll call the first name on the list, and, if
2 you didn't sign up and would like to, just let me know.
3 Sign up? Okay. So the first, the first name I have is
4 Cor Trowbridge, I believe.

5 MS. TROWBRIDGE: Hi. Can you hear me? Okay,
6 great. Hi. My name is Cor Trowbridge. I'm the
7 Executive Director of BCTV, or Brattleboro Community
8 Television. BCTV has contracts with both Southern
9 Vermont Cable and Comcast Cable to provide public,
10 governmental, and educational access, or PEG access,
11 television programming and services, which is required
12 by the State of Vermont for cable providers. BCTV's
13 contract with Southern Vermont Cable is for services to
14 the towns of Dummerston, Jamaica, Putney, Newfane, and
15 Townshend. The contract with Comcast is for
16 Brattleboro, Guilford, and Vernon. Together, these
17 eight towns constitute BCTV's service territory.

18 Each town in our service territory receives staff
19 coverage of their select board meetings and town
20 meeting day. Residents can join BCTV and learn how to
21 use video production equipment to create their own
22 shows that air on our cable channels and online.
23 Municipalities and nonprofits may have additional
24 meetings and events covered for a small fee or at no
25 cost if produced by a volunteer.

1 These services, along with our studio and editing
2 facilities in downtown Brattleboro where residents can
3 create their own shows, enable BCTV to fulfill our
4 mission to promote civic engagement and transparency
5 and to empower community members to share their
6 knowledge, views, and creativity without prejudice.

7 BCTV's financial stability as a nonprofit and its
8 ability to provide these services relies on a federal
9 funding mechanism established in 1984 through the Cable
10 Communications Policy Act, by which cable providers, in
11 exchange for the right to install their infrastructure
12 in the public rights of way, are required to allocate a
13 small percentage of their revenues to a public benefit,
14 which in Vermont is designated to support local PEG
15 stations. Through this mechanism, local cable
16 subscribers provide 80 percent of BCTV's funding, while
17 the remainder comes from donations, underwriting, and
18 income from production services.

19 The public benefit that residents receive is video
20 coverage of their local government meetings along with
21 access to video production equipment, studio editing
22 facilities, and support for creating and distributing
23 their own shows. BCTV annually produces 1,200 hours of
24 new content each year and has won numerous national
25 awards for overall excellence.

1 BCTV has applied for intervenor status in this
2 proceeding to ensure that the conditions and benefits
3 related to PEG access will be equalized for all towns
4 in our service territory following Comcast's
5 acquisition of SVC. Regardless of which cable company
6 serves the towns in our service territory, BCTV
7 provides the same level of benefit. There is a
8 difference, however, in the contracts that BCTV holds
9 with the two corporations due to the difference in the
10 size of the companies.

11 Rule 8.4 of the Public Utility Commission, which
12 governs PEG access in Vermont, places a cap on the
13 level of funding from cable providers. Most of the
14 contracts between cable providers and PEG stations like
15 BCTV provide for funding at the cap level, which is 5
16 percent of gross revenues for operating funds, plus
17 less than 1 percent for capital expenses.

18 There is an exception in Rule 8 for small cable
19 systems with gross receipts from cable services of
20 \$2 million or less, and, for this reason, our contract
21 with Southern Vermont Cable stipulates a lower level of
22 funding. So we would be seeking to equalize the
23 funding level once all of the towns are served by the
24 same provider.

25 In addition, there are benefits that Comcast

1 customers are entitled to receive through its CPG that
2 should be available to Southern Vermont Cable customers
3 following the acquisition, most notably, access to PEG
4 programming via the interactive program guide. In two
5 weeks Comcast will move BCTV's channel numbers from
6 Channel 8, our public channel, and Channel 10, our
7 government and education channel, to a PEG territory
8 higher up on the channel lineup with new numbers of
9 1075 and 1085. You heard it here, folks, first.

10 The move is the result of a new condition in
11 Comcast's recent CPG requiring that information about
12 PEG programming be made available on the interactive
13 program guide as it is for all other channels. As a
14 result, customers will be able to search for and record
15 BCTV's programs using their remote just as they're
16 currently able to do for all other channels.

17 Comcast's CPG, along with BCTV's contract with
18 Comcast, contains other terms and conditions that will
19 benefit Southern Vermont Cable customers, such as
20 future provision of HD channels for PEG programming.
21 In short, BCTV calls for all residents and customers in
22 its service territory to have the same funding,
23 benefits, and conditions related to PEG access in a
24 timely manner following the sale of SVC to Comcast.

25 The final issue BCTV wishes to raise here on

1 behalf of its producers and viewers is that of signal
2 quality. When Southern Vermont Cable applied for a
3 renewed CPG in 2010, its customers could only receive
4 one channel, Channel 8, and one of the main issues to
5 be resolved at that time was significant signal quality
6 problems on Channel 8 that were well-documented by
7 complaints from frustrated producers and viewers.

8 After the CPG renewal process, which addressed
9 this issue and mandated provision of Channel 10,
10 Southern Vermont Cable changed the way it receives
11 BCTV's signal from Comcast with the result that picture
12 and sound quality improved to a satisfactory level.
13 Ten years later, however, we are again witnessing
14 significant signal quality problems due to outdated
15 equipment.

16 While all of BCTV's content is created in
17 high-definition digital files, after leaving our
18 digital broadcast server, it goes through two 1970s era
19 standard-definition analog RF modulators for
20 transmission to Comcast and, from there, to SVC. This
21 transmission process not only lowers the resolution of
22 the programming but also degrades the quality.

23 In fact, over the past fiscal year, the annual
24 report that BCTV is required to submit to the State and
25 cable providers documented six major incidents of

1 signal quality failure that were reported to Comcast's
2 XOC operations center. Comcast technicians attempted
3 to address the problems, but had difficulty due to the
4 age of the equipment and lack of training to
5 troubleshoot obsolete equipment.

6 One of the State's criteria for issuing a CPG to a
7 cable operator is whether the operator can provide
8 adequate and technically sound facilities, equipment,
9 and signal quality. Comcast has stated that it meets
10 this criteria by providing excellent signal quality and
11 100 percent digital picture and sound to its customers
12 and points to its record of investment in
13 infrastructure to support advanced video services. To
14 deliver on these plans and promises, Comcast should
15 provide reliable, 100 percent digital transmission of
16 BCTV's signal and should add HD channels for PEG access
17 content in the near future.

18 In conclusion, BCTV has a stake in these
19 proceedings, because it has a contractual relationship
20 with both Southern Vermont Cable and Comcast. We ask
21 that the State ensure that there are equalized
22 obligations, conditions, and benefits, including
23 funding levels, among all involved towns now served
24 under separate provider CPGs and contracts within a
25 reasonable timeframe.

1 BCTV will continue to advocate for improvements to
2 signal quality and updated transmission methods,
3 including the provision of HD channels for PEG content
4 until locally created content is delivered to customers
5 in the same resolution and quality as commercial
6 channels. Thank you for the opportunity to speak on
7 behalf of Brattleboro Community TV.

8 HEARING OFFICER HOWE: All right. Thank you.
9 Next up we have Mike -- I'm going to go with
10 "ma-ron-key".

11 REPRESENTATIVE MROWICKI: I should ask you to
12 say it in Polish.

13 HEARING OFFICER HOWE: And I'm going to put
14 this sign-up sheet, I'll just put it over here by the
15 microphone. So, if anyone does want to speak, if we
16 get through this list, you can just jump and sign up.
17 So how is it pronounced?

18 REPRESENTATIVE MROWICKI: In Polish it's
19 "mora-vit-ski". Most of the people here know me as
20 Mike Mrowicki, though. And, for the record, I'm Mike
21 Mrowicki. I'm the, one of two state representatives
22 for the Windham-4 district of Putney, Dummerston, and
23 Westminster. My partner, Nader Hashim, is here as
24 well. So, currently, Southern Vermont Cable serves
25 Putney and Dummerston. So I'm not speaking for the

1 other people from other towns here, but hopefully some
2 of what I say will resonate for them as well.

3 First of all, I want to give a shout-out to Cor
4 here for all of their good work at BCTV. They not only
5 help people get to meetings that they wouldn't
6 otherwise, whether it's a select board meeting, a
7 school board meeting, or a local event, but they help
8 bring the work of the legislature closer to home, and,
9 being a hundred miles away from Montpelier, it's not
10 easy for people to get there. So thank you, Cor, and I
11 hope we can help maintain all that BCTV does for our
12 community here.

13 While I know it's important for a lot of people to
14 have the entertainment value of, of what cable can
15 bring, I think the, the primary reason I'm here is for
16 continued broadband access. Almost a hundred years
17 ago, Vermont went through the process of being
18 electrified, because we realized that, to join the rest
19 of the world, we needed electricity, and I think,
20 similarly, broadband access is, is what will continue
21 to connect us to the world and help bring Vermont to a
22 place that the rest of the world enjoys right now, and
23 whether it's businesses, students, or now telemedicine,
24 that access is essential and one of the pieces that I
25 especially hope that we can continue expanding.

1 I think the number of customers that Southern
2 Vermont serves in Putney and Dummerston registers in
3 the hundreds, while there's 4,000, over 4,000 people.
4 So we've got a lot to go. If we want equal opportunity
5 for all, we've got a ways to go, and I'm hoping that
6 Comcast, out of that 350-mile allocation, can continue
7 to expand in this area for those reasons that I stated,
8 to bring the world here and to help make Vermont a more
9 friendly place for those who want to stay and for those
10 we want to attract here.

11 The other consideration that I hope we can help
12 set some benchmarks, and I appreciate what was said
13 over here, is Ernie and his crew have always been right
14 there on the job when someone's had a problem, and it's
15 not, wasn't an uncommon sight to see Ernie himself up
16 on the ladder hooking your house up or trying to fix
17 something, and I don't know that we expect that
18 personal amount of service, but I think we do hope for
19 the, the level of service to continue. Because we're a
20 rural area, we understand that there's challenges here,
21 but Ernie always met them, and I'm, I'm hoping that we
22 can set some benchmarks for, for what kind of service
23 we can expect in the future.

24 I think that speaks to what I can say for right
25 now. But, again, I don't know that there are other

1 options. We know that there is a challenge from Ernie
2 leaving. So the fact that many of us have waited a
3 long time to get any access, we appreciate that there's
4 at least one option going forward.

5 And, and, moving forward, I also want to remind
6 people that the State's well aware of, of the expansion
7 needs right across the state, and that's why last year
8 we passed a bill to start the planning process for
9 local municipal utilities such as EC Fiber up in
10 Norwich. So stay tuned to that. That may be something
11 that becomes a partnership that allows us to get to
12 that last mile. I've worked for three governors now,
13 and they've all promised we were going to have
14 broadband to the last mile, and we're still waiting.
15 So let's keep pushing. Thanks.

16 HEARING OFFICER HOWE: Thank you. Next up I
17 have Claudia Teachman-Blocher.

18 MS. TEACHMAN-BLOCHER: My name is Claudia
19 Teachman-Blocher. I live in Dummerston on the Route 5
20 side. I've been very happy. We don't have any
21 problems with our service. Very happy. You've
22 provided us with just the amount we need, not too much,
23 not too little.

24 I am the sole proprietor of a small, home-based
25 business. I travel for work, but a significant portion

1 of my income is derived by the use of internet to
2 inform my customer base and to receive and fulfill
3 orders. I have a concern that, based on what I'll
4 explain later, that the internet service will become
5 cost-prohibitive for my small business, causing me a
6 financial hardship, particularly after the introductory
7 promotional period of two years.

8 I'm saying this because, as almost the sole person
9 responsible for my mom's bills and finances for the
10 last, like, 15 to 20 years, and she lived in Florida in
11 a huge area -- I wouldn't even call it a town --
12 Comcast became the sole provider down there. They had
13 no competition other than Dish or, you know, some other
14 kind of nominal cable network. And my mom was on a
15 fixed income, and, yes, she had a wonderful promotional
16 first two years, but when that ended she was told,
17 okay, she longer qualified, or I was told she no longer
18 qualified for the promotional service.

19 There were all these other packages and bundles
20 available. So we bundled, but that came at a cost.
21 And then the four channels that she watched as a little
22 old lady maybe an hour a day weren't on the low-cost
23 bundle. They were on the expanded bundle. So I
24 watched as her bill went up and up and up to the point
25 where she was about ready to throw in the towel. But

1 her, we wanted to have her have her programs and have
2 access to her through TV and/or through phone and
3 internet. So we just kept on paying, but it was really
4 disappointing and frustrating to see that.

5 I have an acquaintance who lives in Vernon that I
6 was just speaking with today, telling her that I was
7 going to be coming to this event, and she said, "Oh,
8 what, Comcast?" She said, "I've had them. I've had a
9 bundle with them, and it just went up by \$50 a month.
10 I'm canceling almost everything. I'm going to get rid
11 of my land line. I'm going to get rid of this. I'm
12 going to get rid of that". Because she said she's on a
13 fixed income. She can't afford it.

14 And, yes, they offer other promotions, or they
15 tell you, No, I'm sorry. Your promotion is over. You
16 don't qualify for the next reasonably priced thing,
17 because you're no longer a new customer, and what you
18 have to pay for is exorbitant for a person on a fixed
19 income.

20 I don't know how this can be addressed, but I just
21 felt like I needed to say that. And I've been really
22 happy with the service and that the prices have not
23 skyrocketed in the time that I've been with SV Cable.
24 Thank you very much. I appreciate it.

25 AUDIENCE MEMBER: Hear, hear.

1 HEARING OFFICER HOWE: Thank you. Next up I
2 have John Field.

3 MR. FIELD: Hi, everybody. I'm John Field.
4 I live on West Hill Road in Putney. I first just want
5 to say how distressed I am about this dilemma we're in.
6 I can't say enough about you, Ernie, and the kind of
7 business model, and not just the model, but the way
8 you've delivered local, dependable, human service to
9 us.

10 I was very involved in the struggle to get our
11 area of Putney wired. We had no coverage until what,
12 Ernie, what was, what year did you come in with
13 service, finally, did you connect us?

14 MR. SCIALABBA: Probably about four years
15 ago.

16 MR. FIELD: Up until four years ago, we had
17 nothing. We had HughesNet. We suffered under that
18 behemoth, and people couldn't, students couldn't do
19 their work. My wife, who is a physician, couldn't do
20 her medical records. I couldn't do my work. It was a
21 mess. Nobody -- our governor made lots of promises,
22 our then Governor Shumlin, from Putney, made promises,
23 which he did not keep.

24 The only person who came up to the, to the bat was
25 Ernie and his company. I echo what other people have

1 said about how Ernie will answer the phone sometimes,
2 will come out on the truck. When someone snapped my
3 fiber cable, Ernie and somebody else came out and
4 worked for about five hours in the cold fixing it.

5 I, I'm speaking today out of real desperation,
6 because what we have is a David-and-Goliath situation,
7 only, in this case, David is going to be -- I mean,
8 Ernie totally deserves to sell out, have a retirement,
9 or whatever he's going to do next. He's earned it in
10 spades, and this is not to say anything about him not
11 deserving that, because he certainly does, and I've
12 never seen such a finely run company.

13 On the other hand, the Goliath in the room,
14 represented by Mr. Glanville and others. What many
15 people don't know -- I just checked the stats today.
16 The landscape here is that -- and I took this right off
17 the net. Vermont is served by 11 cable television
18 companies, including the two largest, Comcast and
19 Charter, which together have more than 90 percent of
20 the market, not what Mr. Glanville said, a highly
21 competitive marketplace. And, if you dive deeper into
22 the weeds, you'll see that Charter and Comcast have had
23 a very symbiotic, collaborative, merger-like type of
24 relationship. So I'm not even exactly sure whether
25 they're competitors.

1 You might remember in 2015 Comcast tried to buy
2 Time Warner Cable, which would have been a disaster.
3 Check the public record on what kind of comments were
4 made about the horrors of service, some of the things
5 that Claudia mentioned and other people have mentioned
6 on the written record leading to the denial,
7 thankfully, of that. It would have been a horrific
8 merger. But in that merger, interestingly, Charter and
9 Comcast were very palsy-walsy in terms of a deal they
10 were going to make to make it look like this was still,
11 they weren't going to, you know, dominate the
12 marketplace.

13 I want to say that, while Mr. Glanville talked
14 about the 350 miles, he didn't tell you that his
15 company sued the State of Vermont and the PUC, the
16 Public Utility Commission, twice, not once, but twice.
17 Why? Reading from the newscast, the news release,
18 September 1st 2017:

19 "Comcast has sued the State of Vermont to try to
20 avoid a requirement to build 550 miles of new cable
21 lines. Comcast's lawsuit against the Vermont PUC was
22 filed Monday in US District Court in Vermont and
23 challenges several provisions in the cable company's
24 new eleven-year permit to offer services in the state.
25 One of the conditions in the permit says that Comcast

1 shall construct no less than 550 miles of line
2 extensions into uncabled areas during the eleven-year
3 term."

4 Comcast would rather not do that. Mr. Glanville
5 didn't tell you that. Yes, 350 miles. I'm guessing
6 there was a settlement in that case and they settled
7 with the 350, but they were suing Vermonters to try to
8 not do any of it. But, then again, in February 2018
9 cable television giant Comcast is suing the Vermont
10 Public Utility Commission over the panel's decision to
11 require the company to expand its network and step up
12 support for community access TV if it wants to continue
13 doing business in Vermont.

14 A key issue in the services Comcast must provide
15 to local community access systems that carry municipal
16 government and school board meetings, as Mike
17 acknowledged Cor for doing, a key issue was, is to do
18 with that. The 26 community access systems have been
19 pushing against resistance by Comcast for high-def
20 video, greater ability to operate from remote
21 locations, and inclusion in the interactive program
22 guides that Comcast customers can use to decide what to
23 watch.

24 The PUC, formerly known as the Public Service
25 Board, in January issued a new eleven-year permit for

1 Comcast. In July the panel rejected the company's
2 request to drop some of the conditions attached to the
3 permit. In a lawsuit filed Monday in US District Court
4 in Burlington, Comcast argued that the PUC, quote,
5 "Exceeded its authority under federal and Vermont law
6 by imposing numerous conditions on Comcast's continued
7 cable operations in the state". I'm assuming there was
8 a settlement in that. I don't know how that spun out.

9 I want to remind people that, aside from its
10 unsuccessful attempt to totally dominate the market in
11 2015 by taking over Time Warner Cable, which was
12 stopped, I read recently tonight that, or earlier today
13 that, according to Consumer Reports, Comcast's CEO and
14 scion, Brian Roberts, has already admitted there is no
15 real competition in the cable marketplace thanks to
16 decades-old monopolies. That's the CEO of Comcast.

17 Finally, I pulled up something which was
18 gobbledygook to me but which the suits and the lawyers
19 in the room know of, 2466(c), which is from the PUC's
20 and, I guess, the State of Vermont's operating laws,
21 "Internet Service Network Management, Attorney General
22 Review and Disclosure". And I'm just hoping, although
23 I don't have a solution as what to do instead of
24 Comcast taking over Ernie's wonderful business, I want
25 it noted that here in this 2466(c), "The Attorney

1 General shall review the network management practices
2 of internet service providers in Vermont and, to the
3 extent possible, make a determination as to whether the
4 providers' broadband internet access service complies
5 with the open internet rules contained in the FCC's
6 2015 open internet order", and then there's a lot of
7 numbers, but I'll say it for the record, "Protecting
8 and promoting the open internet".

9 Docket Number 1428, "Report and Order on Remand,
10 Declaratory Ruling on Order 30 FCC, RCD 5601": "And
11 the Attorney General shall disclose his or her findings
12 under this section on a publicly available, easily
13 accessible website maintained by his or her office". I
14 hope that the attorney general will make that available
15 in terms of many of the written complaints that have
16 come in to, to Comcast.

17 And I will end just on this very recent report
18 from -- it was actually a Comcast-owned station that I
19 got this from, a local NBC affiliate. December 6,
20 2019, our senator, Bernie Sanders, unveiled a plan on
21 Friday -- this is reported December 6th, just a little
22 more than a month ago -- to expand broadband internet
23 access as part of a push to boost the economy and
24 reduce corporate power over Americans in his high-speed
25 internet for all proposal. He calls for the internet

1 to be regulated like a public utility. He argues that
2 the internet should not be a, quote, "price-gouging
3 profit machine for companies such as Comcast".

4 The proposal would also break up what Senator
5 Sanders calls internet service provider and cable
6 monopolies. It would stop service providers from
7 offering content and end, end anticompetitive mergers.
8 Senator Sanders concludes, "Access to the internet is a
9 necessity in today's economy, and it should be
10 available for all. We're going to take on the greedy
11 internet, telecom, and cable monopolies and put an end
12 to their absurd price gouging".

13 I end by just saying I don't know what the answer
14 is. I would love to see a public, publicly funded
15 cooperative buy out Ernie instead of what I see as a
16 Goliath, and, and it's not just me, but people all
17 across the country have seen this. Thank you.

18 HEARING OFFICER HOWE: Thank you, Mr. Field.
19 Next up I have a Neil Pelsue as a maybe.

20 MR. PELSUE: We'll make it a definite. My
21 name is Neil Pelsue. I live on Newfane Hill, and we
22 have had at least a 25-year working relationship with
23 Southern Vermont Cable, because, right at the present
24 time and up until it is no longer Southern Vermont
25 Cable, their head station and several dishes and a

1 tower, receiving tower, are on our property.

2 And, as many of you have spoken tonight, Ernie and
3 his brother Sam and his crew have spoiled us with the
4 level of service which they've provided. I've seen
5 Ernie down at the head station at 1:00, 2:00 o'clock in
6 the morning, not on a nice, warm July evening, but on a
7 cold December or January evening. And you've all seen
8 him out working in his bucket truck or on a ladder.
9 So, in whatever direction this goes, Comcast needs to
10 know that we, as Southern Vermont Cable customers, are
11 going to be keeping a very fierce eye on maintaining
12 that level of service.

13 And I did not get to ask this question during the
14 earlier session, so I will, since we can't get answers
15 to questions right now, I will offer it as a comment.
16 But, if I have been hearing things correctly this
17 evening, they've talked only about internet and video
18 and television, and Southern Vermont Cable, as we know,
19 also provides telephone service. And my question, my
20 question would have been, Is the telephone service
21 included in this acquisition proposal?

22 So I have every confidence that Southern Vermont
23 Cable, Ernie and the crew, are, have full belief that
24 Comcast can provide the level of service, but hearing
25 the discussion tonight about the introductory

1 promotional service and then going on to the regular
2 subscriber rates is an additional concern that I hope
3 that your organization will pay particularly attention,
4 particular attention to.

5 Because there are quite a, quite a significant
6 proportion of residents in this area who are on fixed
7 incomes and low income, and any jumps like the woman
8 earlier told about in rates would be equally disastrous
9 to the residents in our area. So I know that your job
10 is to keep an eye on those types of things, and be
11 well-assured that the current Southern Vermont Cable
12 subscribers are going to be doing the same. Thank you.

13 HEARING OFFICER HOWE: Thank you. Next up I
14 have Allan Seymour.

15 MR. SEYMOUR: Yeah. I live down on Route 5
16 here in Dummerston, and I've been a customer of Ernie's
17 for a long time. I've kind of pushed him along a
18 little bit at times, because I have quite a business of
19 producing video, things for the car business, and I
20 relied on communications and video transmission quite a
21 lot, and Ernie always came through.

22 I think the question I asked earlier about whether
23 or not the rates in Dummerston or in our area would be
24 the same as they are in Brattleboro is kind of one that
25 not many people have taken on to, but if you think

1 Ernie's rates have been, I would say, a little higher
2 than Brattleboro's, and I would expect that, maybe when
3 this happens, we'd come down to the Brattleboro rate
4 structure, and I would hope that there's some way that
5 we could guarantee that, because that would answer a
6 lot of the questions about the promotions.

7 I looked at it tonight just before I came up here,
8 and I checked to see what the prices were in
9 Brattleboro, and they're somewhat less than what
10 Ernie's had to charge. So I'm just wondering if we can
11 be assured that that will equalize.

12 HEARING OFFICER HOWE: Thank you. I'm going
13 to go with Chris Lerois. Am I close?

14 MR. LENOIS: Yeah, actually, you were. My
15 name is Chris Lenois. I'm president of the board of
16 directors for Brattleboro Community Television. I
17 wanted to echo some of Cor's remarks about our
18 organization's choice to file for intervenor status in
19 this proceeding, but I did want to just address some of
20 the general concerns in the room about local techs
21 being dispatched to handle service calls, and, being a
22 Brattleboro resident and somebody who is a Comcast
23 subscriber, I know two techs who are fellow graduates
24 of Brattleboro Union High School who are responsive to
25 come out for calls. So there is local presence for

1 that sort of thing.

2 Back to the formal remarks about our decision to
3 file for intervenor status in this proceeding, the
4 decision to do so had the unanimous support of BCTV's
5 board. I want to point out a lot of them live in these
6 service areas that are going to be impacted by the sale
7 of Southern Vermont Cable to Comcast, and, as Cor
8 stated, our primary goal is to ensure that we provide
9 the best resource possible for people in our coverage
10 areas.

11 The media landscape in southern Vermont is without
12 a broadcast television outlet to report on what's
13 happening with local select boards, school boards, and
14 other municipal entities, which, as Representative
15 Mrowicki pointed out, makes BCTV a critical resource
16 for government transparency and citizen engagement in
17 the democratic process. Indeed, we have been told by
18 members of the local print, radio, and digital media
19 just how important our coverage is for them to
20 effectively do their jobs at times.

21 BCTV has enjoyed a wonderful relationship with
22 Southern Vermont Cable. We wish their leadership the
23 best with future endeavors. Our preliminary
24 conversations with Comcast about the impact of this
25 acquisition leads us to believe that we will be able to

1 continue to fulfill our mission to viewers in Putney,
2 Dummerston, Newfane, Townshend and Jamaica in the same
3 and perhaps even better manner as we have over the
4 years, and we look forward to working with Comcast to
5 achieve this goal. Thank you.

6 HEARING OFFICER HOWE: Thank you. The last
7 name on this list, and I'll grab that list as soon as
8 this next speaker is done, but it's Joel Bluming.

9 MR. BLUMING: Yeah. Hi. I'm Joel Bluming.
10 I live in Jamaica. Just to make people aware that
11 there is a proposed alternative for internet service,
12 which is a broadband study that's being done right now
13 by the Windham Regional Commission to implement
14 broadband to the last mile, as the expression goes, and
15 people should look at it for future development. We've
16 just begun the study, and we're looking towards a
17 survey, which you'll be approached to comment on. So
18 there, there is alternatives as far as internet is
19 concerned and streaming. That is not an alternative to
20 television.

21 HEARING OFFICER HOWE: All right. Thank you.
22 The next speaker I have is Steven West.

23 MR. WEST: Hi. Steve West, as you said, easy
24 to pronounce. I live in Dummerston. Everybody said a
25 lot of the things I wanted to say, so if I'll just

1 congeal what's in my brain. I'm a computer repair guy.
2 I've been working in the area 20 years now. I have
3 never had a good experience with Comcast, ever. Great
4 experiences -- I'm a Southern Vermont Cable customer
5 right now and grateful for that. I was excited to
6 leave Brattleboro and live in Dummerston so I could be
7 a Southern Vermont Cable customer, and I have
8 successfully never paid a dime to Comcast in any form,
9 and I hope to never do that.

10 I guess the crux of what I'm driving at is I don't
11 think I have another choice for internet where my home
12 is. I think Consolidated Communications doesn't go to
13 my house on Middle Road in Dummerston for some reason.
14 Comcast is, and then Dish is, I suppose, which I never
15 wanted to do. So I guess I'm curious about the
16 monopolistic implications of this, and I don't know
17 enough about the law, etc., to even speak to it.

18 But I'm kind of over a barrel and as a guy who
19 fixes computers and needs internet, and I haven't
20 watched TV since the middle 80s, with the exception of
21 BCTV, great local television. I used to be on the
22 board. But I have no interest in television, but I am
23 very interested in internet, and as was said earlier by
24 Mike Mrowicki and others, this is like a, it's like a
25 utility. It's something that we all need. You can't

1 not have it in many ways. I mean, I suppose you could.
2 But for most of us trying to run small businesses,
3 you've kind of gotta, bad English, but you have to
4 have, you know, some form of decent-speed internet.

5 I lived in West West when it was still dial-up.
6 The second I left it went to DSL. I was like, What?
7 So I'm chasing this to try to stay current, try to have
8 my own business and run my business and be able to help
9 other people, but I'm telling you, as a guy who has
10 been doing this for two decades now, I can't think of a
11 time I haven't had a problem dealing with a Comcast
12 modem or a Comcast intervention in some way.

13 So, that all said, my hope is that we just have
14 options, and, if this is the way it's going to have to
15 go down, which, you know, I'll either do without
16 internet or move, you know, because I'm just not going
17 to do business with Comcast. I'm sorry. It's just
18 where I'm at. I know too much. You know, I hope it
19 goes well for everybody else who does business with
20 them, but --

21 And, again, no slam on Ernie. Well-deserved. I
22 mean, as you've heard said here many times, this is why
23 we love Vermont. This is why we love small business.
24 This is why we support one another. Because you show
25 up. I mean, they're all calling him Ernie for God's

1 sake. We're not calling him Mr. Comcast, you know? So
2 this is why we choose to live here.

3 Let's also acknowledge that, as electricity comes,
4 phones come, people grouse about, Oh, those damn phones
5 are going to ruin everything. You know, times move on,
6 and Vermont is a small 625,000 people. This is what it
7 is. But you also get people coming out like this to
8 talk about this. It's important. It not only matters
9 to us as individuals, but we're concerned about our
10 neighbors. We're concerned about how everybody is.

11 And I'm concerned that, when a monolithic,
12 monster-sized, multi-billion-dollar corporation comes
13 into the pristine condition of Vermont, it can, it can
14 stand there and talk very eloquently about all kinds of
15 promises and how great it's going to be, and it just
16 isn't ever, you know? So I'm, I'm concerned that we're
17 going to get a lot of bait and switch here.

18 So my hope is that we in this room and others
19 continue to lean in and press and, as was said, will
20 continue to watch and watch and watch. Because this is
21 how stuff happens under cover of the night where, sure,
22 we're going to be nothing but good to you, and then, lo
23 and behold, it's not. So I guess my wish is that we
24 stay vigilant and that, you know, Ernie gets to retire
25 and do what he wants to do and that Comcast is held to

1 task, like any corporation ought to be, and they have a
2 record of not really being held to task very well.
3 So, anyway, I'll leave it at that.

4 HEARING OFFICER HOWE: All right. Thank you,
5 Mr. West. Next up I have Bob Meyer.

6 MR. MEYER: Hi. I'm Bob Meyer. I live in
7 Putney about a mile through the woods from Mike, and I
8 hate to sound redundant, but, jeez, Ernie, thanks for
9 everything. My concerns with Comcast are the delusion
10 that there are alternatives to doing streaming from
11 satellites. You obviously have not done any research
12 into the signals capability in the valleys that we have
13 here. I've had Dish and a few other providers out
14 there. They can't come close to getting any kind of a
15 signal anywhere. So that is not a viable option. That
16 is a lie, or you did not do due diligence, which would
17 not surprise me.

18 I'd also like to make the comment that many years
19 ago I was one of the founders of BCTV, and we had to
20 fight regularly with the Public Service Board and Time
21 Warner at the time to get them to do anything, even to
22 be held to their contracts. These big conglomerates go
23 along with the Public Service, the certificate of
24 public good, say we're going to do all this stuff, and
25 then they sue you shortly thereafter, and it's easier

1 for the, for the Public Service Board to go, Yeah,
2 okay, you're kind of providing a good service. We're
3 going to let you back out of all the promises that
4 people wanted you to that agreed to the, to give you
5 that, that power to have this monopoly.

6 And it is a monopoly, and that's something that
7 people have to remember. It is not a business. It is
8 a monopoly. A business is a competitive venture. And,
9 Ernie, if I could wave a magic wand and get you to do
10 something else -- I want you to be able to retire too.
11 I have to agree with everybody here. I have never seen
12 such good service and the quality, also admitting when,
13 Oops, that was our mistake. Everybody does that but
14 not, not the companies like Comcast.

15 I'd also like to note that on the internet there's
16 this wonderful little site called the Downtime
17 Detector, and Comcast is regularly up at the top for
18 the most complaints from everybody all across the
19 country, and particularly in the northeast. When
20 you're that big, you have a problem at your main
21 junction point, you wipe out huge swathes of territory,
22 and I've watched that. There was a major problem, I
23 think, about two weeks ago, a lot of issues with, with
24 everybody was having problems with internet. Looked
25 like it was focused in New York City.

1 But, in general, Comcast has never gotten out of
2 the orange for most of New England. They have not
3 resolved the problems that are there, and for a big
4 corporation that's making billions of dollars, they
5 should put a little more effort into it.

6 I challenge the Public Service Board to hold them
7 accountable to their certificate of public good. That
8 is something that has never happened here. It's always
9 been backed off. Sorry. You may have good intentions,
10 but the track record isn't that good. And other than
11 that, Damn, Ernie.

12 HEARING OFFICER HOWE: Thank you, Mr. Meyer.
13 And then the last name I have is Chris Olsen.

14 MR. OLSEN: Hi. My name is Chris Olsen. I'm
15 a resident of Dummerston. I just want to speak a
16 little bit more in the abstract. We've had a lot of
17 people here, as was mentioned by Steve, that everyone
18 is referring to Ernie by his first name and thanking
19 him for the service. I'm also a very satisfied
20 customer. And, in addition to just, like, an intense
21 work ethic, I would say, there's a level of
22 accountability that we have as people in a small
23 community. We know that Ernie is the person that we
24 complain to if we have a problem, and he doesn't want
25 us complaining to him. It's a pretty simple formula

1 there.

2 Contrary to the Supreme Court, corporations are
3 not persons, and, therefore, they don't have that level
4 of accountability. So we are left by that logic to the
5 principles of free market and competition to ensure
6 that we get satisfactory service as customers and
7 people exchanging goods and money. But, as has also
8 been discussed, in the absence of competition, we don't
9 really have a free market, and, there again, we have no
10 competition. We have no insurance that anything
11 Comcast says that they will actually be held to,
12 because what else are they going to do?

13 I just, I, I just want to finish up by saying Joel
14 Bluming mentioned there is currently a grant-funded
15 study, feasibility study, business plan in the region.
16 Talk to your town clerk. Find out who the town lead
17 is. We are Vermonters. We can build this ourselves.
18 Ernie did it. Let's, let's figure it out. Thank you.

19 HEARING OFFICER HOWE: All right. Thank you.
20 Did anyone else who did not get a chance to sign up
21 want to speak before we go off the record? Yes.

22 MR. O'NEILL: Good evening. My name is
23 Lawrence O'Neill. I'm a recent convert to the school
24 of Ernie. About 18 months ago I approached Ernie about
25 building out cable for our road in Putney. We were

1 surrounded by cable, but our road had none. We had 13
2 unserved homes. Through Ernie and the Brattleboro
3 Development Corporation, we were able to get a grant
4 and from the State and get cable built out. The
5 neighborhood is happy with the service. Ernie was out
6 at 11:00 o'clock one night ensuring that we had
7 service. So I understand about that.

8 I don't think any of us here grudge him his
9 retirement, and that is not -- we are not here to fight
10 you on that. My concerns are the articulated
11 statements by Comcast, which they made on January 23rd,
12 about the fact that they were raising rates for their
13 internet customers in order to support programming
14 packages and their new streaming network, so not
15 because they're improving internet service, but to
16 support other parts of their business, by 3.6 percent.

17 And, through the wonders of the internet here at
18 the college, we were able to just do the quick
19 research. The introductory package for a mid-level
20 internet speed is about \$40 a month for two years.
21 When that two years expires, that rate doubles.

22 AUDIENCE MEMBER: One year.

23 MR. O'NEILL: Excuse me, excuse me. In one
24 year, in one year that rate doubles. So this going
25 from an introductory rate to something not reasonable

1 happens relatively quickly. I think what the PUC and
2 hopefully the Public Service Department needs to ensure
3 is that we have some sort of protection written into
4 this public, certificate of public good that can't be
5 litigated out of, some sort of price protection. If,
6 if they're going to be granted this CPG, there needs to
7 be a price protection built into it.

8 The other thing it needs to have is some sort of
9 guarantee of customer service. If you get on the
10 internet and look, that is the number one complaint
11 about Comcast is their customer service, everything
12 from rude operators on the phone to people not showing
13 up to problems not being resolved in any way near a
14 timely manner. So that needs to be something that
15 needs to be included as a condition of the certificate
16 of public good.

17 They also, I believe, their 350-mile build-out
18 commitment is sort of hedging on what the governor
19 signed last June that Mike referred to. The governor
20 signed a measure that was designed to expand our fiber
21 network, not just build out to areas that are unserved,
22 but also to expand fiber, high-speed fiber to all of us
23 so we're not just on coaxial cable, and there is, there
24 are subsidies already provided for to provide
25 extensions into these areas by the State.

1 I think we need to have a commitment from Comcast
2 that they will honor that legislation that was signed
3 by the State, that they will commit to a build-out of,
4 not just coaxial cable that carries their television
5 signal, but fiber for high-speed internet to support
6 the modern economy that we have that the governor hopes
7 that we will build so we can bring more people here.

8 Again, I understand this is not a hostile
9 takeover. Ernie wants out of the business. He would
10 like to be sitting under a palm tree somewhere with a
11 golf club in one hand and a martini in the other, I'm
12 sure. But I just see that there will be a lack of
13 local responsibility for, for all of our services. You
14 know, we'll be calling -- the gentleman said New
15 England call centers. I always wonder about that when
16 someone answers in a foreign country. Is where you are
17 really New England?

18 So that is my comment at this point. Again, I, I
19 think we have been spoiled, as has been articulated.
20 Ernie has a good business model. He follows that
21 model. He provides quality service. I don't think
22 it's something that we are not entitled to. We pay, we
23 pay our rates. Obviously, he makes a profit, or he
24 wouldn't have been in the business for 20-some-odd
25 years. So we're, we're paying for what we get, but we

1 get good service. I'm not sure we're going to be
2 paying for what we get if we go with Comcast.

3 HEARING OFFICER HOWE: All right. Thank you.
4 Any further comments before we adjourn? Yes, sir.

5 MR. SEYMOUR: May I add to my comment?

6 HEARING OFFICER HOWE: Absolutely.

7 MR. SEYMOUR: Allan Seymour. I kind of had a
8 unique experience today, because I have a part of my
9 job at the Brattleboro Ski Jump is to get the internet
10 hooked up there, and, of course, that's a Comcast
11 connection. So I've kind of dealt on both sides of
12 this, and I don't know if everybody, anybody else in
13 this room has dealt with Comcast or has any service
14 with them, so they might not understand what I'm
15 talking about.

16 But, anyhow, we have to get this hooked up, and we
17 have to call Comcast, and they come out, and I must say
18 today's experience was quite pleasant, and it's always
19 been pleasant with them wherever I've had to deal with
20 them. They come when they say they're going to come.
21 The people that come to work and do the hook-ups are
22 from Hinsdale or from Brattleboro or somewhere, and we
23 talk about various things we all know together. It's
24 like I was talking with Ernie's crew and the same
25 things.

1 So I don't know that Comcast in Brattleboro is
2 quite the big ogre that everybody's saying about it.
3 Plus, as I've been harping about rates, their rates are
4 somewhat, and I don't want to say considerably, but
5 they've been somewhat lower than Ernie's rates. And
6 those aren't introductory rates. Those are the
7 standard rates. So I'm not sure that they're being
8 represented fairly. That's all I would say.

9 HEARING OFFICER HOWE: Thank you. Anybody
10 else? Yes, sir. Yeah, just sign in at the sign-in
11 sheet, please.

12 MR. PALMISANO: Jay Palmisano. I have lived
13 here for three years, and I have been from central
14 Vermont and moved down here three years ago. I've had
15 Comcast and up in college, at my home, and, like you
16 said, it's never been a big concern. I'm actually all
17 for the sale and happy for that. I just wanted to make
18 that a comment, kind of pigtail off of yours.

19 HEARING OFFICER HOWE: Thank you.

20 MR. PALMISANO: Thank you.

21 HEARING OFFICER HOWE: Anybody else? Last
22 chance. No takers? Okay. Well, thank you, everyone,
23 for coming out tonight, and we are adjourned.

24

25 (Whereupon at 7:31 p.m. the hearing was adjourned.)

