

MTA Grassroots Alert

September 18, 2006

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Despite Cable Talks & New Drafts, HB 6456 Harms Communities and Residents

House Energy & Technology Committee Chairman, Mike Nofs (R-Convis Twp.), convened meetings with central parties (cable companies, telephone companies, MML and MTA) involved in the cable legislation from Wednesday afternoon, September 13 through Sunday, September 17, in attempts to gain agreement on the cable franchise legislation contained in HB 6456. After 25 hours of discussions, major problems remain for local governments. Nofs is intending to report the bill out of committee on Tuesday or Wednesday (September 19 or 20). Committee meetings have been scheduled for 9 a.m. both days. On Tuesday, the meeting will be held in room 307 of the Anderson House Office Building and if needed, the Wednesday meeting will take place in room 519 of the same building. MTA is asking township officials to attend these meetings and to make calls to their state representative and to leaders in the House asking them to not act on HB 6456 or to vote "NO" if it comes up for a vote.

The following is a highlight of concerns:

- The bill causes the state to break existing local government cable franchises, which have been carefully negotiated to meet each communities needs. The bill would cancel these contracts and require local governments to amend their existing contract or adopt a new one by adopting a new (much weaker) state uniform version.
- The bill contains a meaningless "build-out" provision that allows providers to determine (and to revise) their service territory to avoid the "build-out" percentages. This will allow both old and new providers to engage in redlining and discrimination of service and increases the digital divide in Michigan. Rural areas and inner cities are likely to be skipped. All citizens will not be treated equally with service or the types of service that companies will provide. Current franchising authority by local governments allows for "build-out" to be addressed in local franchise agreements.
- The bill will cost communities over \$42 million per year in lost revenue and increased costs, according to experts who have analyzed the bill.
- The bill will shut down or severely curtail most school, community and local government access channels by imposing onerous new requirements and reducing funding for them.
- The bill contains several unfunded mandates and imposes new obligations on municipalities. These violate the Headlee Amendment, among other things.

- Action by the Michigan Legislature is unnecessary. Congress is poised to pass legislation shifting franchising to the Federal level. Both houses of Congress have rejected provisions grandfathering or “carving out” state bills such as HB 6456. And the Federal Communications Commission has made it clear that it will act by year-end to expedite cable franchises and cable service by phone companies if Congress does not act.

MTA is requesting that township officials immediately contact state representatives and House leadership to inform them that you oppose HB 6456. Use the following link to contact your state representative www.house.mi.gov/find_a_rep.asp. Also, please contact:

Rep. Craig DeRoche, Speaker of the House
Phone: (517) 373-0827
Fax: (517) 373-5873
E-mail: craigderoche@house.mi.gov

Rep. Dianne Byrum, House Minority Leader
Phone: (517) 373-0587
Fax: (517) 373-9430
E-mail: diannebyrum@house.mi.gov

Rep. Andrew Dillon, House Tech & Energy Committee – Minority Vice Chair
Phone: (517) 373-0857
Fax: (517) 373-5976
E-mail: andydillon@house.mi.gov

Please send a copy of any correspondence to the MTA at david@michigantownships.org or fax to 517-321-8908.