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PUBLIC UTILITIES COMMISSION



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August 8, 2012

Mr. Thomas Kogut, Associate Administrator
Rhode Island Division of Public Utilities and Carriers
89 Jefferson Blvd.
Warwick, RI 02888

Re: RI Docket No. 2012-C-2 – Proposed Rulemaking to Amend
Rules Governing Community Antenna Television Systems

Dear Mr. Kogut:

Enclosed are the comments of Verizon Rhode Island in the above-referenced matter.

Thank you for your assistance. If you have any questions, please feel free to contact me at the number above.

Sincerely,

A handwritten signature in cursive script that reads "Alexander W. Moore (moore)".

Alexander W. Moore

Attachment

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS

PROPOSED RULEMAKING TO AMEND)
RULES GOVERNING COMMUNITY ANTENNA) Docket No. 2012-C-2
TELEVISION SYSTEMS)
_____)

COMMENTS OF VERIZON RHODE ISLAND

Verizon New England Inc., d/b/a Verizon Rhode Island (“Verizon RI”) files these comments pursuant to the Notice of Proposed Rulemaking issued by the Division in the above docket, regarding proposed changes to the Division’s Rules Governing Community Antenna Television Systems (“the Rules”).

Section 1.7 – Fees

Verizon RI does not object to the change to Section 1.7 of the Rules. For clarity and to ensure alignment with R.I.G.L. § 39-19-9, however, Verizon RI suggests replacing the term “its” appearing before “Gross Revenues” in the penultimate sentence with the statutory phrase “any individual CATV franchise holder's.” Further, Verizon RI notes that the three percent (3%) of Gross Revenues is a cap; that is, the amount of the fee is allowed to be less than three percent. Since the financial burden of this fee is passed along to subscribers, RIPTA should do its utmost to keep its expenses at a reasonable level so that the fee is below the three percent maximum.

Section 14.2 - Fixed Studio Production Capability

Verizon RI does not object to the proposed reduction in the number of studios that RIPTA is required to provide. That reduction should also reduce RIPTA’s studio expenses, and the Division should pass along those savings to CATV subscribers by reducing the per-

subscriber PEG Access and Interconnect Fee collected by cable providers and paid to RIPTA quarterly. Section 17.2(c) of the Rules expressly authorizes the Division to make such an adjustment upon finding that it is appropriate, “in light of the prudent and reasonable expenses incurred, or projected to be incurred, by RIPTA in operating and maintaining PEG access facilities, playback equipment, and Interconnect equipment as required and allowed by these Rules.”

Verizon RI supports the second proposed change to Section 14.2, requiring RIPTA to provide the Division with advance notice of any relocation of a fixed studio. In addition to the Division, CATV franchise holders too have an interest in the relocation of a studio, because they will need to build connections to the new site. Verizon RI strongly urges the Division to insert additional language in Section 14.2 to address those interests. First, RIPTA should be required to consult with any affected CATV franchise holders prior to choosing a new studio site, to allow them to provide input as to the cost-effectiveness of extending their facilities to the locations under consideration. Second, RIPTA should be required to reimburse CATV franchise holders for the reasonable construction costs they incur as a result of a decision by RIPTA to relocate a studio. Any such reimbursements would be appropriate to include in the expenses of RIPTA that are supported by the PEG Access and Interconnect Fee. Verizon RI’s proposed changes to Section 14.2 are attached hereto in redline.

Section 16.6 – Annual Access Provider Report

Verizon RI has no comment on the proposed change to Section 16.6 of the Rules.

Respectfully submitted,

VERIZON RHODE ISLAND

By its attorney,

A handwritten signature in cursive script that reads "Alexander W. Moore" with a circled "Moore" at the end of the signature.

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Boston, MA 02110
617-743-2265

Dated: August 8, 2012

Verizon RI Proposed Amendments to Section 14.2

Section 14.2 Fixed Studio Production Capability

(a) ~~RIPTA may provide one (1) fixed studio in any Service Area. Provided however in no case shall RIPTA~~ shall provide less than five (5) ~~six (6)~~ studios statewide. Prior to any relocation of a fixed studio, RIPTA shall provide advance notice to the Division and shall consult with the CATV franchise holders regarding an appropriate new location. The Division reserves the right to conduct a proceeding to determine if the relocation is in the public interest. Upon relocating any fixed studio, RIPTA shall reimburse each CATV franchise holder for the expenses and costs it reasonably incurred in extending its facilities to the new studio site. Any amounts so reimbursed shall be included in RIPTA's expenses covered by the PEG Access And Interconnect Fee pursuant to Section 17.2 of these Rules. Each Electing CATV Operator shall also provide one (1) fixed studio in each of its Service Area(s). Each such studio shall be equipped for full-color production and transmission of live, videotape, and film television programs on specially designated access channels. (Such programs may be furnished or produced by residents of that Service Area and institutions or groups within that Service Area.)