



Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

RE: MB Docket No. 05-311

Dear Ms. Dortch,

The Hawaii Association of Independent Schools (HAIS) submits herewith comments on the proposed new rules regarding cable franchise fees. The new rules, if implemented as currently proposed, would severely reduce and limit – if not entirely eliminate – the educational benefits currently available to public, charter, private and parochial schools in the State of Hawaii under the existing rules. The change would also significantly reduce and limit the benefits and access to cable services provided to state and county government and also to the general “public” component of PEG access.

The resources provided by the cable system to Hawaii’s elementary, secondary and post-secondary educational institutions, especially those in remote areas of the islands, are significant. Instructional courses, professional development programs and training resources are available across the entire state under the current system and could be reduced or eliminated under the new rules.

In Hawaii at least, the cable operator does not “pay” franchise fees. The fees are billed to and paid by the consumer and only collected by the cable operator who then forwards these fees to the appropriate PEG services as determined by the State of Hawaii’s Department of Commerce & Consumer Affairs. Given the hundreds of channels provided by the local cable operator – much of it mindless noise – the provisioning of a few channels for PEG access by the cable operator is not a huge expense, especially since these few channels are both managed and programmed by PEG staff and not the cable operator.

Although Hawaii’s 120 independent schools do not receive as much benefit from the PEG services as do the public K-12 and post-secondary institutions, HAIS and its member institutions are opposed to the proposed new rules and urge you to reject them. Please feel free to contact me at 808-203-9097 or [pbossert@hais.us](mailto:pbossert@hais.us) if you have any questions.

Sincerely,

Philip J. Bossert, Ph.D.  
Executive Director