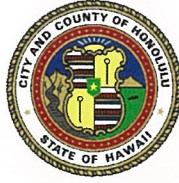


OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



ROY K. AMEMIYA, JR.  
MANAGING DIRECTOR

GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR

December 11, 2018

Chairman Ajit Pai  
Commissioner Michael O’Rielly  
Commissioner Brendan Carr  
Commissioner Jessica Rosenworcel  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

***SENT VIA ELECTRONIC FILING:***

[www.fcc.gov/ecfs/filings](http://www.fcc.gov/ecfs/filings)

Dear Chairman Pai and Commissioners O’Rielly, Carr, and Rosenworcel:

SUBJECT: MB Docket No. 05-311 - In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992  
Second Further Notice of Proposed Rulemaking

On behalf of the City and County of Honolulu, I would like to thank you for the opportunity to share our concerns and submit comments opposing the Commission’s proposed rules in the above-referenced docket.

We understand that the proposed rules will adversely impact or possibly eliminate public, educational and governmental access resources and services, also known as “PEG,” within Hawaii and across the nation. In particular, we are deeply concerned with the Commission’s proposed rules that will classify certain obligations in a franchise agreement negotiated between the cable operator and the local franchising authority as “in-kind contributions” including PEG access channels, institutional networks, and connections to schools and libraries as part of, or included as franchise fees, and thus subject to the five percent cap established under the federal Cable Act. We view PEG access channels and the services and benefits they provide, as public benefits for the residents of the State of Hawaii to remain engaged with the government that serves them.

Chairman Ajit Pai  
Commissioner Michael O’Rielly  
Commissioner Brendan Carr  
Commissioner Jessica Rosenworcel  
Federal Communications Commission  
November 30, 2018  
Page 2

Citizen awareness and engagement is a cornerstone of democracy, provides for government transparency, allows for public discourse of issues of importance to our communities, and offers a platform for the exchanging of ideas to address the numerous challenges and issues facing the residents of our state. PEG access enables us to reach residents who are not able to attend public hearings and meetings as well as those who want to be informed of the issues and challenges facing the residents of our state and what is being done to address these issues and challenges.

Within the City and County of Honolulu, ‘Olelo Community Media (‘Olelo) is the organization that provides PEG access to our residents. ‘Olelo’s PEG programming is an indispensable part of fulfilling the City’s communications and community engagement efforts in connecting with our culturally diverse communities. Additionally, ‘Olelo’s PEG programming serves an important function by creating an opportunity to connect the residents and community members in the City and across the County with live, as well as live to tape, coverage of not only our bi-monthly Honolulu City Council proceedings but also certain commission and public meetings, including our Honolulu Area Rail Transit board meetings, and neighborhood board meetings just to name a few. Noting that 80% of more than 30 neighborhood boards, each elected by area residents spanning the island, have individually chosen to use their very limited budgets to broadcast their meetings to their constituency on ‘Olelo.

In addition to coverage of local government hearings, meetings, and proceedings, ‘Olelo also provides coverage of cultural, social, educational and community events throughout the island of O’ahu, including our Honolulu and Kapolei City Lights and Light Parade. We understand the Commission’s proposed rules threaten to limit or eliminate all these services; services that in part, are here to enhance government transparency as well as to better inform and engage our communities.

We respectfully request the Commission to reconsider and refrain from adopting its proposed rules. Again, we view PEG access channels and the services and benefits they provide, as public benefits that flow directly to our residents, and ask the Commission to protect and preserve such public benefits now and for future generations.

Thank you for the opportunity to express our strong opposition to the Federal Communications Commission’s Second Further Notice of Proposed Rulemaking under MB Docket No. 05-311.

Sincerely,



Kirk Caldwell  
Mayor