

Town Hall  
Ward 2  
September 13, 2006

**Council Member Carol West:** Good Evening. It is good to see all of you. Thank you for coming. I hope you all participate this evening and also take some of the refreshments. We usually have refreshments at our town halls and this is the first one of the season. If you want to be on our mailing list for future town halls, just let us know and we will add you to our mailing list. This particular town hall is one that I am co-sponsoring with the City and by the way, for those of you who don't know me, I forgot to say I am Carol West. My constituents usually know who I am at town halls so I don't always remember to say so, but I am Carol West and I am the Council Member for this ward, the northeast side. This program this evening is being done in conjunction with the City of Tucson—it's the Cox cable TV license renewal and we want citizen input. Now there are a number of people here tonight who are Cox employees, and you certainly may address the group but would you please let the citizens go first because this is really their town hall...I obviously you must like the workplace very much or you wouldn't be here but we want to hear from the citizens. That's the purpose of the meetings that we are holding throughout the community, and there is another one tomorrow night at Ward 5, if some of your friends weren't able to come tonight. I am talking more to the citizens now. You might try and reach that one...that's at Park and Ajo...it's a little ways away. I want to also mention a few ground rules that I would like to have this evening. First of all, this is being taped, I want you to know that because your input is very valuable to the City and I think to Cox cable as well and so we want to make sure that you know that though up front. And also if you could limit your comments to five minutes. I'm going to have somebody time them. Now if five minutes doesn't seem like a very long time but you know it can be for the rest of the group that is listening. And all of you have something good to say I know and so that's really important. Along with that I need to turn to the next page and see what else I need to tell you about this. First of all there's going to be a brief presentation by Ann Strine, the City of Tucson's IT Director and then after that I will thank her .

**Ann Strine:** Oh, good Carol

**CM Carol West:** Requesting that speakers come forward based on the speaker forms that they have submitted and I already told you, no more than five minutes. We will allow too for questions and answers and maybe some of you just want to write comments, you don't want to speak, you know, sometimes a crowd, people think, oh, I'll just write it down, that's alright too. So whatever you decide you want to do. And then we'll have a closing statement. Your survey, speeches and written comments will be taken into account during the license negotiation process and then it says IT is going to do the cleanup and I am just pleased about that. So...

**Ann Strine:** We didn't say we'd wash the dishes though Carol

**CM Carol West:** So I'm going to let Ann go ahead and make her presentation and after that then we'll open the floor and please let the citizens go first and then the rest of you can follow them because we'll all learn from one another. All right?

**Ann Strine:** Thank you, Carol. I usually can shout pretty, well can you hear me? O.k., then I'm not going to run around with a microphone cause I'll probably trip or drop it. I am Ann Strine. I am the Director of Information Technology for the City of Tucson and as part of my responsibilities, I oversee the cable license and thus in the midst of the renewal process that the City is now conducting with Cox Cable. Our license has been, for the last 10 years, it expires a year from now, September 2007. And so we want to get it figured out what our next license will be so we're working on it now. We had several meetings and we want to get folks' input to this. The people who live here, the ones who are Cox customers, we'd like to hear what it is that you have to say, what you like about the service, some places you'd like improved, some new features you'd like, anything you want to comment on with respect to the service that Cox delivers to us. We had a couple of sheets up there for you one is some background material, if you didn't get one of these you can pick it up on the way out which gives a few points about what we have in our current license, and therefore, what we're hoping that we can preserve going into the next license. And there are some issues, there was a new state law passed in the last legislative session that further defined the terms that can be entered into between the City and the cable company. That law does not become effective until next summer so the agreement that we might be able to reach with Cox now is certainly influenced by that but it's not bound by that new law. So this background sheet and then there's also a survey that we would appreciate you filling it out and if you do want to speak we ask you to write your subject matter down on the bottom and let us know that. Now we weren't as clever as we should have been and we indicated that you should tear it off below your name. So I've been able to match speaker information with most of the sheets but it maybe that I'm going to hold one of them up and say this is the topic that somebody wants to talk about so I apologize for not being on top of that, by tomorrow night it will be better, when we have the forum at Ward 5 tomorrow. One other point I want to make, we are taping audio, the City is taping audio and we will transcribe this. Cox is taping with the video. So that is the Cox folk that are doing that. And you have probably noticed that we have good representation from Cox here tonight, they all have a nice little sticker on them, a cute sticker, Innovate Tucson, that's a nice phrase for all of us. So I'm ready to go into the questions. If you have anything you'd like me to say, a question you'd like to ask me before we get into the speakers, I'm willing to entertain it or we can go through the speakers who have something specific that they want to comment on and then we could just open it up to a general question and answer.

**CM Carol West:** O.k., if we could take comments from citizens who came to give input first and then from Innovative people.  
Any citizen who has a question. You are all citizens, I know, very very good citizens too I might add but

**Ann Strine:** Kris, are you Kris. O.k., we have one from Kris Masalsky. So we'll let you go first.

**Kris Masalsky:** Shall I stand?

**Ann Strine:** Then you can project...

**Kris Masalsky:** Hi and my name is Kris Masalsky. I'm a small business owner here in Tucson and first of all, I would like to thank all the Cox people who are here tonight because I've got something to say about Cox that I'd really like you to hear. It's part of what we have been doing for many years at the public access station and I'm here tonight in support of our Access Tucson station. And many of you may not know some of the things that happened out of Access Tucson but I have been a member of Access Tucson for almost 20 years now and 20 years ago I was part of, well at that time it was Pima County Adult education, it has now moved into Pima College adult education and at that time I was administering educational programs for adults with developmental disabilities. Well, we ended up doing some wonderful partnership with Access Tucson in providing services to adults with developmental disabilities down at Access Tucson. Providing classes for people to learn all aspects of studio production, manning cameras, doing studio lights, all aspects of studio production so that the students who were, and these are adults with developmental disabilities, who were learning these skills then went into helping provide, put out shows, down at the Access Tucson station and I don't know how many know that but it's all volunteer work down at Access Tucson other than the staff who works there but the people, the members of Access Tucson are all volunteers so these adult students with developmental disabilities who lived and worked and were a part of the Tucson community now became a part of the Access Tucson community and that's been going on for almost 20 years now. In fact, every Thursday night, you can go down to Access Tucson and you can see adults with developmental disabilities working on shows at Access Tucson. Why do they do this? It's certainly not to get paid because again it's a volunteer position and these are people who work in Tucson, they have jobs, they live in apartments or supported living situations but they go and they volunteer their time and have been doing this for almost 20 years. Again, why do they do this? Because they feel a part of the community, they feel a part of this incredibly vital community service that we call Access Tucson. They are a part of it working on people's shows, they are a part of, the staff at Access Tucson treats people like they are family and they provide community service. In fact, Carol, I don't know if you remember, you've been on several shows, down at Access Tucson, one of the shows that I helped work on was a show, is a show called Valley Views. And this particular show is about community programs, community things that are going on in Tucson. And a

**Ann Strine:** Why don't you do a wrap up sentence here.

**Kris Masalsky:** Anyway, I just wanted to say that this, Access Tucson, I'm talking in support of Access Tucson and I hope that through these negotiations, that this will remain a vital part, that all the PEG stations and Access Tucson will remain a vital part of the negotiations. Thank you.

**CM Carol West:** Thank you. We did just have some people walk in so I want you to know that this program is being taped and you can write your comments on the comment card or you're free to speak, whichever you wish to do or you can do both. Is there anyone else wishing to address us at this time?

**Ann Strine:** I do have several Cox employees that have signed a sheet. Do we have any other non-Cox employees who would like to speak?

**Unidentified male:** I don't know if I need the mic or not?

**CM Carol West:** No you sound pretty good.

**Chris Baker:** I teach at the U of A so I can project my voice. I am a constituent of the Ward here and I also work for a market research company in Tucson. And I guess what I wanted to convey to everybody is to understand the role of research in the process and obviously the City is going to have research and Cox is going to have research to try and understand how people feel. This forum here is one such aspect of the research. It's qualitative research in which people who are very committed to one side or the other are going to show up and give their opinions so quickly the reason that I feel I'm qualified to talk about this is I have an MBA from the University of Arizona, work for a company called Marketing Intelligence, been the senior research analyst there for six years. I've also done work for the City of Tucson, done work for Cox, done work for the University of Arizona, a lot of different people involved here, and I'm not really here to talk about what one research says versus another. I just want everybody to understand the different research methodologies when one side's presenting the different claims they have. There's qualitative and there's quantitative. The qualitative research method is something like a survey which is random in nature and you're calling different people and trying to just get their opinions on whatever the subject matter is and then there's things that are qualitative which are very valuable but cannot be used to project and some of the things that are qualitative research are things like focus groups in which a certain set of people are asked to come and participate and give their opinions on why they think certain things are important and why certain things are not important to them. And so when you hear results about a focus group, really you can't use them to project upon the whole population because, first of all, it's a very small sample and secondly, the purpose of the focus group really is to understand why certain behaviors exist and not really to understand how many people feel that way. The survey is usually the best way to do that. When you do a survey, it's really important to try to limit the non-sampling error and to give you a brief explanation, whenever you do a survey there's sampling error and there's non-sampling error. The sampling error is something that can be controlled by how many people you ask, so whenever you hear a political survey, they'll say plus or minus four percent. That's sampling and that's solely dependent upon how many people take the survey. Then there's non-sampling error and the best way to control for that is just to make sure that you're abiding by basic market and research principles which means you're not writing leading questions, you're not trying to influence the respondent in any way by telling what the subject matter is and so you can control non-sampling error and again sampling error you just control by the number of respondents. So I just wanted to give you some background on marketing research cause that happens to be my field of expertise and again if all fairness, I've done research for the City of Tucson, we've done research for Cox and so you know, our goal as a research provider, we're not lobbyists, we just say here are the numbers and you guys do want you want but I just wanted the audience to kinda understand the difference. This forum here would be considered qualitative research. It's kinda like the comment card because you're taking the time to comment about something that you really, truly care about. So it's really

important for these types of things can't be compared to a survey but at the same time, it's just another way to get different information about subject matter.

**Ann Stine:** What is your name?

**Chris Baker,** Marketing Intelligence.

**CM Carol West:** I am disappointed that there aren't more Ward 2 and City at large residents here this evening. One of the things in Ward 2 that you may not know is that some of us are Comcast customers. Which is very interesting, I think. So we have by far more Cox people here, Katie? I'm going to give you the mic because I think you need it so that people can hear you.

**Ann Strine:** We want to make . . .

**Katie Maass:** I will sign this, but I'm sorry I came in late...

**Ann Stine:** No, No, we just want to make sure that when we transcribe it on the tape that we spell your name right, so.

**CM Carol West:** I can help you. She's a regular

**Katie Maass:** I am a Ward 2 resident and I'm a Cox customer, internet as well as cable TV. I did write a note to Carol when I first heard about this issue coming up. I'm here mostly as a parent and I heard a little bit of your comments about the Access Tucson channel. I happen to be a huge fan of the U of A's Deutsche Welle Program and I probably watch it daily. I was just looking at your questions here. And I am concerned about limiting this, you know we may not all be watching every show all the time. I have watched the City of Tucson, the City Council meetings occasionally and not very often, but occasionally. But I do watch the U of A channel probably daily and so I am concerned about what would be cut, you know how it would be cut, and I'm here to support other stations even if I don't watch them. I see, personally, a lot of junk on Cox, is my feeling. As a constituent, as a customer, I would prefer to see more selection to me. I don't need however hundreds of channels I'm able to get with the package I have. You know if I have the networks and Disney and WB, I'd be so happy. But it's just, you know there's a lot of junk on Cox and I am concerned about the PEG channels and I would support your comments, even though I came late. But, I think that when you look at small groups even if they are small groups watching, I guess that's the beauty of cable and if we can't have that, you know, I'm disappointed.

**CM Carol West:** Thank you Katie.

**Stuart Thomas:** Hi, my name is Stuart Thomas and I just got here and having witnessed an accident just before coming here so maybe you heard the police, I called the police. This kid apparently got, I saw him moving around, struggling to get up and his bike was on the side and he was laying down and so I hadn't been here in a while and I thought police station might be over here and it's not but the fire station is, we called it from here and I understand he's getting

help. Carol I haven't seen you since Toastmasters. Well I think I've seen you but on television. But nevertheless, nice to see you again. My name is Stuart Thomas and I did not get the briefing so if I don't fit the guidelines exactly for what to say, forgive me. But I think that Access Tucson and the other PEG channels are a godsend to this community. It's one of the things that makes us special. There is no other community in Arizona that I'm aware of that has anything like we have and I you know I like to call Access Tucson Democracy on Television because anybody can get a show. Now you can have a show which is obscene and you may not get your show on the air or if you do it would be after midnight but most of us have sincere ideas of shows and Carol and the Mayor were on my show at one time, on a prior show I've done and what PEG does, particularly Access Tucson, gives an opportunity for people not only to get offered a show of their own and just try commercial television and radio. I tried, I tried. I had a prior show, I went to channel 4, 9, 13 and 11 and I've gotten some damn good feedback from my shows. Guy Ashley has allowed me to repeat if ever there was someone born to be a talk show host, it's you Stuart. So I have a quality show. Now there are other quality shows there to. But try to get it on. I met with general managers of 13, 9, 6 and 4 and the program manager at 11. They all were concerned about whether there could be afforded, it was a money issue, o.k. At Access Tucson, I can have the desire and you can have desire and you got your own show. And as I say, you and the mayor have been on my show. And lots of other people have been too. I've been hosting shows for 11 years, within the last few weeks, the particular show I'm doing now is the pick of the week of the Tucson Weekly. So there's high quality stuff there. Also, another show is featured as the, you know in the headlines of the City Week, you know they have that before they get to the nitty gritty details of the (unintelligible). Access Tucson is a treasure for Tucson but so is also the Pima Community College station. I watch them from time to time. I had some fascinating things on them. I also watch the U of A channel from time to time. I also watch Channel 12 which is not included in this thing from time to time too. Please keep the treasure here in Tucson.

**Ann Strine:** Thank you.

**Stuart Thomas:** I live in Tucson. I live in the Sam Hughes area.

**CM Carol West:** You moved.

**Stuart Thomas:** I moved.

**CM Carol West:** Anyone else? Yes sir.

John Losh: My name is John Losh. I live in the City of Tucson, 4175 East Ft. Lowell Road, I kinda came late because I could not find this place in 25 minutes. And I wanted to say that I am not happy with Cox Communications, I don't know if that is what the topic is but in March 2005 Cox Communications cut my service the number of channels I could watch by a fair amount and raised my rate by a substantial amount so that my net effect of what I was now buying cost me 65% more than it did the previous month. That's a fact. I have the numbers ... The same thing I questioned is why are we talking about Cox. Cox is only one of a dozen people who would like to be able to provide service in Tucson. Tucson owns a valuable valuable franchise. I've never heard anyone mention anything about Cox. I talked to another City counselor back in the winter

when it was snowing there and the lady said that, "Oh wait until April, we're going to have a big thing in April. Well guess what, April came and went and nothing ever happened. When are we going to get a little public information in the City Council about what you are doing. We don't know. There is not a piece of information given to us about what's happening on the, in the contract. It's our contract and you said it's valuable. We own it, we should be dictating to whoever becomes interested and invite everybody in to have a look at it and then decide which one of those people we want to buy what will they do for a buck and 9 PEG channels is a minimum. They want to cut it down, you know that, we would like to have more. Cause I agree with you it is a treasure and let's get on with a discussion of a new contract with a new vendor because 65% increase in a rate is not fair. The problem with that is I want to complain, I got to call the Arizona Corporation Commission but they are not in charge. The FCC is not in charge. There's nobody in charge of rates on cable. Nobody, I found out finally the only place to complain was at the City Council so I went to some people and talked to them and they said oh wait until sometime later and that was back in February, what's this November, seven months later we have had no report and you're the first one to even bring this up as far as I know. And that's just Cox. I think Cox is not the only one to deal with.

**CM Carol West:** Thank you, who's next. Anyone else?

**Ann Strine:** Okay we do have some folks here from Cox. Let's see, Ali Abassi.

**Ali Abassi:** Yes. Do I need a mic? My name is Ali Abassi and first of all I am a Tucson citizen and I am a resident. I'm an employee and customer of Cox communications. As a manager of billing center of customer care operations, I'm faced with a lot of customer comments and inquiries regarding the new products that are out there in the market. Today I guess I'm carrying my customer's voice to this audience. We have a little bit of flexibility you know license renewal and which would give us more bang to carry some the channels the new products, such as video on demand, entertainment on demand in HD channels and that's what our customers crave for. So a little bit of customer feed back as well as what our customers are looking for is what I'm carrying and voicing to this audience.

**Ann Strine:** Thank you.

**CM Carol West:** Anyone else? Yes? Oh Okay, alright

**Stuart Thomas:** I'm a Cox customer to as well as a citizen of Tucson. One of the main reasons that I got Cox to begin with versus not having it is that I wanted to watch ACCESS Tucson Shows and know I also want to watch free speech TV shows. Which gives a view of the news that's not on every other commercial station. Things like Amy Goodman Democracy Now. And what are some of the others? Source Code, and INN News, where can we see those shows except through ACCESS Tucson and I want to see them. If any of you haven't seen them I urge you to look at them. To give you a brief idea of one of the things that when 9/11 happened, oh no I'm sorry, when we went into Iraq. CNN would show pretty much what domestically every other station showed but Amy Goodman showed that show which a shock was at all. But did you know? I didn't, that CNN is a CNN international and showed this on split screen and showed us what CNN international showed. Which were the casualties of that shock and awe. It

was her opinion that if the American people had seen those pictures of children and women and innocent looking people getting hurt as they were. That the war would of ended in a week. Now I don't know if that's true or not but that was her opinion. And if you saw those pictures you would probably (unintelligible).

**CM Carol West:** Okay, who else? Holly Capps?

**Holly Capps:** Thank You

**CM Carol West:** You better use the microphone so they can hear you in the back

**Holly Capps:** Thank you for the opportunity to speak. I'm a resident of ward one and were actually not having a town hall and I appreciate the opportunity to make my comments.

**Ann Strine:** Well good.

Holly Capps: And it's also perfect that I follow Ali. Because my comments also surround technology innovation. As he expressed, very well, we get a lot of request for new product such as Video on Demand and more high definition channels. Those are the things that are technology today. That people would like that our customers are requesting. We can only begin to imagine what technology is going to allow us to do in the future. So what I would urge you Ms. West and the council member to do. Or that I would ask for you to do as you go through the negotiation is to be creative. Be open minded about solutions and consider not only what technology can offer us today but what possibilities are out there for tomorrow. And not just be limited by what the franchise agreement of the past have allowed. Because after all, we do have a great opportunity to make a positive environment here in Tucson with the infrastructure. And Tucson is all of our home. So that's really what all of us want.

**CM Carol West:** Thank you. Is there anyone else from Ward One that won't be having another opportunity to speak. We want to give you that chance tonight. Is there anyone else wishing to speak?

**Ann Strine:** Anne Doris had asked.

**CM Carol West:** All right, Ann? She lives in ward 2 so I guess we'll let her.

**Anne Doris:** I'm Anne Doris and I live in Ward 2. And I'm also the vice president of operations for Cox communications here in southern Arizona. So I just want to make a few comments. As I had mentioned earlier there has been a new cable statue that has come about in Arizona. When that law goes into effect it will bring about a significant reduction in fees. That will go directly to our customers as well as all of all of the other cable customers across the state of Arizona. None of those fees will accrue to Cox communications. Any savings will go directly to our customers. The law also takes into consideration the community channels and provides for a number of those channels. Cox communications is focused on creating a solution in license renewal with the City of Tucson that takes into consideration the particular local circumstances of the community that we all live in. Our goal is to create a license that works for the City of

Tucson and that provides an opportunity to have community channels that are representative of the signs of the audience that they currently enjoy. And at the same time our focus will be of course in creating a license that allows us to offer the innovative products and services that our customers consistently tell us that they would like to have. Thank you very much Ann.

**CM Carol West:** Anyone else? One of the things that I guess I would like to ask. I'm gonna put Larry on the spot. Can you talk for just a little bit about how cable is regulated? You know I have people call here all the time and of course we give them the service numbers at Cox but none of us really understand how this regulation occurs. Would you just address that for a minute and enlighten us? He's a ward 2 resident too.

**Larry Hecker:** I'll try. My name is Larry Hecker and I'm an attorney in Tucson and I live in Ward 2 and I represent Cox. I've been involved in the cable negotiations and in a nutshell the cable services provided by Cox are governed by a City of Tucson ordinance and by a license agreement between the City and Cox. It's a detailed agreement that spells out numerous different provisions relating to service requirements, customer service it deals with very technical things, it deals with PEG channels and until recently, it also dealt with rate regulation. But because of the competitive situation that Cox finds itself in with satellite and other services. It's no longer subject to rate regulation. But it is a very detailed agreement Cox is subject to customer service standards that are pretty rigorous in fact in some cases it's more rigorous than Tucson Water Department. But it's all done through contract as opposed to any regulatory agency such as the Arizona Corporation Commission for the FCC. Tobin did I miss anything?

**Tobin Rosen:** I don't think so Larry. I think...

**CM Carol West:** Introduce yourself

**Tobin Rosen:** I'm Tobin Rosen and I'm an attorney with the Tucson City Attorneys office. I represent the City in the negotiations. Larry is representing Cox. I think Larry you have a very good summary of some of the issues in cable regulation. A couple of other things to remember are that there are both federal laws and state laws that deal to the subject of cable regulation. The federal laws, the federal cable act and that law is the law under which the City of Tucson and other cities across the country have regulated cable subscribers for many years. That law provides some limits on what the City can do it provides limits on the cities ability to do things like require certain types of programming except for public education governmental programs. It basically tells cities they have to keep their hands off of content generally in cable systems. That's to enable the cable companies to effectively give the customers what they want without the cities dictating what they should carry. The federal law also limits how much compensation cities can require from cable companies for use of the rights of way it limits that at 5% of gross revenues. That's also important because as most of you probably realize cable companies use City streets in order to provide services to the City. Those streets are owned by the City and maintained by the City and there are substantial expenses involved in maintaining those streets. So when cable companies use those streets to provide their services to the community the cities want and expect the pay rate in return and the cable companies want and expect to pay that to the cities. But there some people who think that City doesn't get enough money from the cable company for the use of the streets. Well that's governed by federal law and as Ann Doris

mentioned a few minutes ago when she spoke there is a new state law that's coming into affect next year, that's one of the most restrictive state laws in the country in terms of what cities can require from companies. It is even more restrictive then the federal law in terms of what cities can and can't do. So between now and next year when that law takes affect the City and Cox have a window of opportunity to negotiate an agreement that will give Cox the flexibility it needs now and in the future and it will give the City the flexibility that it needs to continue to provide a certain level of public access programming the community needs. And we're hoping that Larry joins me in this, that we'll have an agreement in place before the new law takes affect and then we will be able to continue both the City and Cox to meet the community's needs. Did I talk to much?

**Ann Strine:** No, Tobin can I ask you to follow up on one other point that the gentlemen back here asked about why don't we have other vendors come in. The federal law has some rules about how you change.

**MC Carol West:** Repeat the questions please.

Tobin Rosen: Right, the question is and was raised by the member of the audience was why we are just talking about Cox why we not talking about other people coming in. The short answer to that is if somebody else wanted to provide cable service they are perfectly free to do so. The Cox license is not an exclusive license. The City cannot by law grant an exclusive license to Cox or to any other company to provide cable services. Any other company that wanted to come in and abide by the same terms and conditions as Cox can do so. So any other company that wanted to undertake that and it's quite and undertaking. If you think of the expense, and Ann Doris is smiling at me because she is thinking about the expense right now, of coming in a building a cable system that would reach every street, every alley, every house in the City. I mean that's considerable. I can't even imagine what that would be in terms of City dollars. So it's not just something we just flip a switch and somebody else can provide cable service like Cox does. By the way I want to say to all the Cox employees, you are valued in our community and I enjoy working with Ann and all the Cox folks. A lot of you I'm sure I haven't met but, I hope to keep working with you in the future.

**MC Carol West:** So I don't remember which...I think it was you. You were talking about innovative kinds of things that you know your customers are asking for. Is that part of your negotiations Ann? Or Larry? Whichever one of you wants to answer. Or is this something that you can decide within the framework of the franchise. You want to answer that or do you want Ann to answer that?

**Larry Hecker:** We sort of..

**Ann Strine:** We can't comment on that.

**MC Carol West:** Oh, you can't comment on that. Then I know the answer to that. Okay, I wasn't sure just how far this went. Anything else that anyone else would like to ask? Yes sir? Oh is that you Katie, yes ma'am.

**Katie Maass:** A couple of other points I guess I'd like to bring up is if, if I was going to see an improvement or a service improvement from Cox it would be almost Al la carte commercial. Programming and we've heard "we can't possibly do that because we are trying to give you access to so many commercial things that we couldn't possibly survive if they have to stand out on there own. That's kind of the argument that I heard. So I'm going, okay. So we're criticizing the community access stations because they may have small audiences. But yet I'm forced to bring into my home commercial channels I may not want because it's part of a package. And these commercial panel without that couldn't stand on their own. So that's a concern that I have especially as a parent. I put on my comment sheet, you can read it. I'm concerned about some of the sexual content, the language, the violence that comes into my home on programs. I don't chose to have and I tell my kids to shut it off because we're not watching it. I don't really have that problem with Access Tucson frankly when I've watched it but again I do watch some of the PEC programming. The other thing I'd like to bring up is it does talk about having pre-cable access for schools. My daughter's school, because of some of the age requirements and some of the get now work and some of the other things they have to do. They frankly don't watch the TV anymore. So I'm wondering how much this is an issue in schools and if other schools are going our way. I mean yes you may take it because it's a free thing. But my daughter's school is Alice Vail Middle school. They have stopped watching the Channel 1 broadcasting because they just don't have time for it.

**MC Carol West:** Okay, anyone else. Yes, back in the corner.

**Molina Contrera:** My name is Molina Contrera and I'm a resident of ward 5 and I'm an employee of Cox communications. I just want to get back to you on your comment about being concerned as a parent. The sexual content and it's just a piece of information I want to share with you and with any other concerns of parents that may be worried about the kind of information that kids have by watching television and visiting internet sites because it is a concern. In fact, Cox communication continually sponsors studies and recently released one about chat groups and chat conversations. In fact we just release that study nation wide. It is alarming, it is alarming. There is an increasing number of teenagers who are reporting that they have had encounters with people they don't know who they met through the internet. There are a larger percentage of kids who are saying that they are considering going out and meeting someone that they just met in the chat room. So I just want to share with you a piece of information. We have sponsored studies like the one I just mentioned but we also are concerned because many of us employees have either relative under age or we have kids that we are concerned about. We have also put security in place that you can use to restrict that content. Pretty much from every single level of service that you get through our video services. We have a mechanism in place that you can activate, ah, there are a variety of ways to do it but I'm not going to name them all. But we have those available; we also have the same technology available for our internet customers. We made that information available. We have a web site that I would like everyone to views that is concerned about what kids are watching on TV. It's called takecharge.com. Not only will it walk you through what you need to do to turn on some of the filters and activate some of these mechanisms that we have in place. It also provides information about how to address the issue with your children. What kind of contract you need to create with them and what kind data is suggested that you provide as a parent. So I just wanted to share that basic information and again please use takecharge.com

**MC Carol West:** Okay Thank You. Anyone else. Okay come up here Lew. There you go. Go ahead

**Lew Sleeper:** I'm a resident of ward 2.

**Ann Strine;** Could you give us your name please.

**Lew Sleeper:** Oh sorry. Lew Sleeper, you want more

**Ann Strine:** No that's good thank you.

**Lew Sleeper:** We're fortunate enough to have an association, we have a group. And all of us are on basic cable and personally I just started last week with High Definition. It's fantastic. The football games are really great. And I also have broadband. I've come into the new age. I have fantastic speed now to do my computer work. But my question has to do with telephones. I'm confused because some of our residents in our village our association have digital telephones. I think my terminology is correct, and some people say they can't get it and yet they live in the same area. I'm also wondering about the future of complete cell phones. I hope my question is in order.

**MC Carol West:** Who wants to address that?

**Ann Strine:** Let me make one comment and then I'll call on someone from Cox that can speak to the telephone. The City's license with Cox is only on the video service so this you know the TD kinds of stuff that comes through. The City does not have any relationship with Cox with respect to telephone or internet service. So since you asked a question about that and we probable have time. I Cox wants to respond to the notion of telephone service being offered in that neighborhood or if you want to follow up later. Mr. Sleeper: I would much rather that you follow up with us later.

**MC Carol West:** Oh okay. He's going to follow up later to get an answer to his question. Anyone else? Yes, you haven't spoken yet?

**Lloyd Hudson:** Yes I don't very often. I do a lot of writing and I don't talk very much. My name is Lloyd Hudson and I'm with Del Gecko association. My comment, now that Ann said it. If the service or franchise with the City and Cox is only with the video changes franchisees or vendors what happens to those of use that are totally Cox dependent and has been for 15 years.

**Ann Strine:** Well, I'll say that I think it's unlikely that we'll change vendors. I'm very confident that Cox and the City will come to an agreement that works for both of us. So I think that this is a pretty remote possibility. But I will then go ahead and assure you if this very remote possibility would happen the City would looking for a vendor that provides the full range of service for us. It would not be our intent to leave everybody high and dry. But I actually think we don't need to talk about it that much. I think we will come to an agreement with Cox and what's important for us from the City side and I think from Cox side is to hear what's

important to people. So we're sure that we address those things as we go through our negotiations on what we write into the new license agreement.

**Lew Sleeper:** Well in my case you can take the TV away. Just leave my phone and internet.

**Ann Strine:** Well I don't want to hear that you want to drop (unintelligible)?

**Lew Sleeper:** I watch channel 12

Unidentified male: My question is I would like to know about the important things to know about license renewal the statement was made federal law provides Cox a presumption of renewal. That means that they are free to do the same job and file their papers with the government. That they will be removed whether we like it or not, right.

**Ann Strine:** I can try Tobin or if you want to give it a try.

**Unidentified male:** Excuse me what?

**Ann Strine:** I was talking to Tobin. He knows the law better than I do. I can superficially speak to it but.

**Tobin Rosen:** Basically under to federal cable act there is a presumption of renewal. But that doesn't mean that renewal is automatic. What it means as the encumbrance provider. Cox gets to have the City take a hard look at its performance under the license at what it contends to do in the future. The City has to weigh that against the community cable related needs and interest. Which we determine by doing things like surveys. Then we go out for comments from folks like you.

**Unidentified male:** You never answered me

**Tobin Rosen:** We just did. You've been commented on. That's how we determine the cable related needs in the community. And in that context we have the renewal process that Cox has invoked which is a formal process under federal law but at the same time we also have the informal process, which is were we sit down in a room and we have people like myself, Ann Strine from the City. Some others from the City. Larry Hecker, Ann Doris, Mike DiMaria and some others from Cox. We try and hash out an agreement that meets everyone's needs Cox and the City and the Citizens of the City. Take that to the Mayor and Council for approval and move forward. So while Cox does have a presumption of rule under federal law we are not going to blindly give them everything they want nor are they going to blindly give us everything that we want. It's a negotiation process, in a negotiation there is give and take on both sides, and hopefully at the end of the day everyone walks away feeling like they benefited and the community has benefited from the renewal process. I hope that kind of answered your question in a more local context.

**Unidentified male:** The follow up on that is who is supervisor over Cox rates or charges for customers.

**Tobin Rosen:** We touched a little of that before under Federal Law. The Federal Cable act which regulates not only Cox but also the City. There is a concept called effective competition. Which means when there is a certain level of competition in community and that competition can come from providers like satellite providers or direct broadcast providers not necessarily other cable providers. Cox can file a petition with the federal communications committee that essentially says that level of competition is present in the community. When that happens, and it did happen, I think it was last year. The Federal Communications commission then says there is effective competition in the community and you City are no longer able to regulate cable prices. So that's one thing that we can no longer do under federal law. Is regulate cable prices.

**Unidentified male:** Does the City have any recourse to increase the rates?

**Tobin Rosen:** No Again, it's partial of our inability to regulate cable rates as our inability to tell Cox what rates they should charge when to raise rates. You know what rates to charge for which packages and all that? Now you as a citizen and a Cox subscriber I can imagine you got probably the ear of more Cox employees tonight then you probably have if you call the office tomorrow. So you might want to stick around and maybe talk to Anne or somebody else if you a specific concern about that. But we as the City can't do anything about that.

**Unidentified male:** So if my rates go up like 30% rates. Like say there going up next month 30% more then they are today. I'm only basic cable subscriber with an increase then there is nothing I can do right?

**Tobin Rosen:** Well there is nothing I can do.

**Unidentified female:** I guess I have a question about the point were it says excessive community accounts consume space that would otherwise be used for an innovative product and services that our customer would rather have. Uhm you know I guess what I'm wondering about is a question of I would almost charm them the young group station. It has a lot of stuff that I frankly can't believe people watch. But maybe I'm naive. My question is that it would appear to me that if somebody turns on a community access program there really being active about it. Their seeking out some information that's valuable to them as a member of this community. Were as if your just turning on some random station you may not be that interested. How seriously did Cox look at reducing the number of commercial stations to make room for the things the customer wants is what I would like to know.

**MC Carol West:** Who can answer that one? Or wants to help out? Anybody?

**Ann Strine:** You know I can't speak to it because that clearly is a Cox decision so. If someone from Cox would like to respond to it or we can...Ann Doris

**Anne Doris:** Let me just make sure I understand the question. You wanted to understand what other channels we look at not having...

**Unidentified female:** Yes so you would make space for the demand that is pent up.

**Anne Doris:** Let me first respond by saying that we've spent over the last two years using Lewis and Dant(sp?) to monitor the usage of all of the community channels. So we have a very good understanding of a number of viewers using them at the time in which we are able to make measurements of those channels. So we have a very good indication that the quantity of channels that we have are probably in excess of the number of people watching them. But having said that. That we look at the other channels that we offer our ability to offer them is really dependent upon a number of factors. Many people look at many different programs that we took a poll of various people in this room. We would find that everybody watching a different group of channels and then we sit down as a company to negotiate the commercial channels as you call them. We have to enter into agreement with those channel providers. That would require us to take a number of different channels. So for example if we were entering to an agreement with say the channels control via ABC. Meaning we are required to take ESPN channels as well as a number of ABC family channels as well as a number of Disney channels as part of that contract. So it's a combination of factors. We want to give people a variety of programming of what they want to watch. And we have to cover all of the viewers because our viewers want to watch a variety of programming. So what may be of interest to one family may not be of interest to another. But as a cable company we've got to provide a variety of popular programming. Having said that again I would repeat as negotiate programming we tend to have to be able to take programming in content packages in order to be able to repeat the cost of that locally. And I hope that I've covered your question.

**MC Carol West:** See I think you wanted to say something again, didn't you.

**Unidentified female:** Yes I have a quick question. How serious is the possibility of limiting the PEG channels?

**MC Carol West:** I think that may be part of the negotiations so they can't respond to questions like that.

**Ann Strine:** Yes sir?

**Jesus Moreno:** My name is Jesus Moreno and I work in customer care for Cox Communications and I have been for about five years. I just first of all thank you for those of you who have spoken tonight but I ask you specific comments. The department that I work in I can say and this is with all do respect with what Access does. In five years that I've worked in customer care I've talked to hundreds of customers probably thousands and I can't recall ever having a request for something related to every channel on our network. So what that tells me is that we have an extremely broad market of customers from you can almost, if you want to stereotype, you can go with city area or you can go by what you see on the account based on the payment history. One of Cox's purposes is to make sure that we balance out what the customer wants and what we can actually provide based on some of things specified. Now in the time that I've spent in customer care, regularly, and I would say probably on a monthly basis customers will call and ask us for channels that we don't provide. Whether we can or we can't or we just haven't brought that to negotiation. It's hard to tell a customer any customer that we can't do that today. That's speaking from a customer care back ground. Now the current wave of things

is video on demand things or services that we have been trying to bring into this community and a wider variety. You have to find a place to put it because we have a limited amount of space that we can provide services for our customer. So I hope there are people in this room that what we are trying to do is balance what our customer really is looking for is for the future and still be considerate for what people are currently interested in. With some of the access channels I've lost a couple of the shows, personally those are the channels that I find more interesting but that's just me. So everyone in this room may have certain opinion but it's very important that we all recognize that when a customer standpoint and I can speak on that because my expertise. People want everything but we can't give them everything and we can't give them everything. Sometimes we try to balance it sometimes that means we have to eliminate channels sometimes that mean we're going to add some. And we've done that and especially in the last five years that I've worked for Cox and that's a point that no one has really mentioned. We have added more we brought more online but eventually we're going to hit a roof and we won't be able to do that anymore. We're going to start to look for a way to bring some more stuff in. It might cost use some channels here it might it might cause us to have to move some stuff around. But by and large our goal is to satisfy I would say 99% of the population and we are going to have that 1% that we never made happy. But it's very important that we walk them through that point we want to make sure that the majority of people get what they want whether it's a hundred people that want something or it's a thousand. That's all I have to say thank you.

**Identified female:** I have something that I want to say and this may run into the rules of negotiation that we can't talk about. But my question has to do with what PEG stations are going to be cut.

**Ann Strine:** That is something that we can't get into now.

**Unidentified female:** So I guess that's part of the frustration that we might all be sitting here arguing that we really want to see and you may have a station that has two people watching and they didn't come so

**MC Carol West:** Yes one of the things and I'm just gonna grab the mic here for a minute and one of the things that the Mayor and Council particularly value is citizen input. And that's why we scheduled these town halls around the different wards. Because we will find out what customers are interested in and the fact that some of you are here tonight from Cox. And your finding out some of that to. I'm sorry that we don't have more people here. But I think we have to do the best we can with the information we get but that's why it is important that you came tonight. So we get this input and I think that sounds like a good end to this. If you want to stay and talk more about all this then your more then welcome. You can have some cookies over there you can come back next month for another town hall. Just pick up the newsletter there all listed in there and if you have a particular topic that you like to see us discuss after the first of the New Year. Let us know what it is. Thank you so much for being here.