

NORTH METRO TELECOMMUNICATIONS COMMISSION MEETING

February 15, 2023

6:00 p.m.

1301 81st Ave NE

Spring Lake Park, Minnesota

AGENDA

1. Call to Order/Roll Call
2. Public Comments
3. Changes to the Agenda
4. Consent Agenda [pp. 1-19](#)
 - a. Minutes of regular meeting of December 29, 2022
 - b. Minutes of Executive Committee meeting of February 1, 2023
 - c. Minutes of Operations Committee meeting of January 31, 2023
 - d. December 2022 and January 2023 financial reports and bill lists
5. Executive Director Report
 - a. Quarterly Report [pp. 20-26](#)
6. Legal Counsel Report
 - a. Quarterly Report [pp. 27-32](#)
7. Old Business
 - a. Pay Study Update [p. 33](#)
8. New Business
 - a. Annual Fee Payment to Cities [pp. 34-36](#)
 - b. Strategic Plan [pp. 37-39](#)
 - c. Nominations for 2023 Executive Committee [p. 40](#)
 - d. Insurance Liability Waiver [pp. 41-42](#)
9. Recommended Reading [pp. 43-54](#)
10. Community Calendar
 - A. Next Meeting Dates:
 - a. Operations Committee –February 28, 2023
 - b. Executive Committee – June 7, 2023
 - c. Cable Commission – June 21, 2023
11. Adjournment

NORTH METRO TELECOMMUNICATIONS COMMISSION

UNAPPROVED MINUTES

Commission Meeting – December 29, 2022

CALL TO ORDER

Chair D. Stoesz called the regular meeting of the North Metro Telecommunications Commission to order at 6:00 p.m.

ROLL CALL

Directors Present: Julie Jeppson; Blaine, Dale Stoesz; Lino Lakes, Barbara Goodboe-Bisschoff; Spring Lake Park, Jesse Wilken; Ham Lake, D. Love; Centerville, Brandon Winge; Lexington

Directors Absent: Steve McChesney; Circle Pines

Others Present: Mike Bradley; Legal Counsel, Heidi Arnson; Executive Director

PUBLIC COMMENT

There was no public comment.

CHANGES TO THE AGENDA

There were no changes to the agenda.

CONSENT AGENDA

- **Minutes, Bill Lists, Financial Reports**

The September 21, 2022 NMTC meeting minutes, December 6, 2022 Executive Committee minutes, the October 4, November 1, and December 7, 2022 Operations Committee meeting minutes, and the September, October, and November bill lists and financial reports were approved as presented. **Motion for approval made by B. Goodboe-Bisschoff. Second, J. Jeppson. Motion passed unanimously.**

REPORT OF EXECUTIVE DIRECTOR

H. Arnson reported on the following items:

- The news team wrapped up election related programming by producing 25 "Meet the Candidate" interviews. The interviews received over 5,100 views on the NMTV YouTube channel and the post election results news story was viewed 2,860 times. Candidate biographies were clicked on over 18,000 times.
- NMTV staff recorded the annual Blaine High School Veterans Day program
- Plans are underway to live stream the annual Guns N Hoses charity hockey event.
- Arrive Alive is back after a two year hiatus. It is a very intense production that involves planning, days of shooting, obtaining drone shots, hours of editing and coverage of the final presentation. Organizational meetings are currently under way.
- Closed captioning continues to function pretty well. Problems arise, but have been dealt with successfully.
- Third quarter franchise and PEG fees were reviewed. They continue to decline but remain within estimated amounts.
- The pay study is nearing its conclusion. Recommendations regarding any market adjustments could be presented to the Commission at the next meeting.
- A draft three year strategic plan has been completed. It includes three primary goals including diversifying income, determining desired services and staffing, and preparing for leadership transition. It is expected that the plan can be presented to the Commission at their next meeting for consideration.

REPORT OF LEGAL COUNSEL

- M. Bradley noted that the FCC is still at a 2-2 deadlock.
- Legal counsel plans to file comments in the upcoming digital discrimination docket. He thinks it is important for cities and commissions to participate. Anyone interested should let him know.

OLD BUSINESS

There was no old business

NEW BUSINESS

- While a determination regarding any pay study market adjustments is being considered, and based on initial results of the pay study, the Operations Committee is recommending that the Cable Commission approve an increase of 1.25% to the 2023 budgeted COLA, right away. That would bring the 2023 COLA to 4%. Because of recent staff changes, the increase will not adversely affect the budget.

MOTION: To approve adjusting the 2023 COLA from 2.75% to 4%. **Motion for approval made by J. Jeppson. Second, B. Goodboe-Bisschoff. Motion passed unanimously.**

- Staff recommended that the Commission change the first meeting date in 2023 from March to February. It was noted that several matters would be better dealt with before March.

MOTION: To change the first Commission meetings of 2023 from March 1st and 15th to February 1st and 15th. **Motion for approval made by J. Wilken. Second, J. Jeppson. Motion passed unanimously.**

COMMUNITY CALENDAR

Upcoming meetings include:

1. The Operations Committee on January 31, 2023
2. The Executive Committee Meeting on February 1, 2023
3. The Cable Commission Meeting on February 15, 2023

ADJOURN

The meeting was adjourned at 6:14 p.m. **Motion for approval made by S. McChesney. Second, B. Winge. Motion passed unanimously.**

Julie Jeppson; Secretary, NMTC

EXECUTIVE COMMITTEE MINUTES

Meeting of February 1, 2023

Executive Cmte. Present: Barbara Goodboe-Bisschoff; Spring Lake Park, Dale Stoesz;
Lino Lakes; Chris Massoglia; Blaine

Absent: Brandon Winge; Lexington

Others Present: Heidi Arnson; Executive Director

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES

A motion to approve the December 7, 2022 Executive Committee meeting minutes was made by C. Massoglia. Second, B. Goodboe-Bisschoff. Motion passed unanimously.

EXECUTIVE DIRECTOR / OPERATIONS COMMITTEE REPORT

- 4th quarter franchise and PEG fee reports were reviewed. Estimated income is meeting expectations.
- A table was distributed that showed how percentage of fee payments to cities was determined, and the division of the fee payment based on those percentages. If approved at the February 15th full Commission meeting, the checks and reports will be distributed to the cities.

MOTION: To recommend the Commission approve payment of fees to the cities, as presented. **Motion made by B. Goodboe-Bisschoff. Second, C. Massoglia. Motion passed unanimously.**

- The 2023 – 2025 Strategic Plan was reviewed. Three primary goals are to diversify income, determine desired services and staffing, and to prepare for leadership transition.

MOTION: To recommend the Commission approve the 2023-2025 Strategic Plan as presented. **Motion made by D. Stoesz. Second, C. Massoglia. Motion passed unanimously.**

- 2023 on-boarding materials had been emailed to Committee members. Staff stated print copies are available. It was recommended that members review the NMTC history document located on the NMTV website.

OLD BUSINESS

- It is expected that the Operations Committee should have a recommendation regarding any possible adjustments to the NMTC step pay plan soon. It was noted that it would be helpful to schedule a special meeting of the Commission to consider any recommendations before the scheduled June meetings.

NEW BUSINESS

- Recommendations were made for members of the 2023 Executive Committee. Dale Stoesz, Brandon Winge, Chris Massoglia and Barbara Goodboe-Bisschoff have indicated a willingness to serve. If no other candidates express interest in the Committee, at the full Commission meeting, it is recommended that Dale Stoesz serve as Chair, Barbara Goodboe-Bisschoff serve as Vice Chair, Chris Massoglia serve as Treasurer, and Brandon Winge serve as Secretary.

MOTION: To approve Dale Stoesz as the Chair, Barbara Goodboe-Bisschoff as the Vice Chair, Chris Massoglia as the Treasurer, and Brandon Winge as the Secretary of the 2023 Cable Commission. **Motion made by D. Stoesz. Second, B. Goodboe-Bisschoff.**
Motion passed unanimously.

- Every year, as an administrative matter, the Commission has to decide whether or not to waive the statutory tort liability limits for insurance purposes. This decision determines the amount an individual would be able to recover on any claim to which the statutory tort limits apply. In the past, the Commission has opted to NOT WAIVE the monetary limits on municipal tort liability. The Executive Committee recommends that the Commission NOT Waive the monetary limits.

MOTION: To NOT WAIVE the monetary limits on municipal tort liability. **Motion made by B. Goodboe-Bisschoff. Second, C. Massoglia. Motion passed unanimously.**

- The Commission has the opportunity to participate in the filing of Comments and Reply Comments on an FCC Notice of Proposed Rulemaking that has the potential to impact local governments' ability to ensure equitable broadband deployment throughout their communities as well as local rights-of-way managements generally. Participating will provide an opportunity to proactively propose rules and rule changes that support local authority, and to counter the suggestion that local regulations are contributing to digital discrimination and to oppose further limitations on local authority. The cost to the Commission will be \$4,000. That amount will fit within the 2023 legal budget.

MOTION: To recommend the commission approve participating in the filing of Comments and Reply Comments in the FCC NPRM regarding Digital Discrimination, not to exceed \$4,000. **Motion made by D. Stoesz. Second, C. Massoglia. Motion passed unanimously.**

Executive Committee Meeting
February 1, 2023
Page 3

ADJOURN

Motion to adjourn made by C. Massoglia. Second, B. Goodboe-Bisschoff. Motion passed unanimously. The meeting was adjourned at 6:31 p.m.

**NORTH METRO TELECOMMUNICATIONS COMMISSION
UNAPPROVED OPERATIONS COMMITTEE MEETING NOTES**

Tuesday, January 31, 2023

CALL TO ORDER

The meeting began at 11:00 a.m.

MEMBERS PRESENT

D. Webster, D. Buchholtz, P. Antonen, S. Cotton,

MEMBERS ABSENT

M. Wolfe, B. Petracek, M. Statz

OTHERS PRESENT

H. Arnson

APPROVAL OF MEETING NOTES

The meeting notes of December 6, 2022 were approved by consensus.

EXECUTIVE DIRECTOR REPORT

- 4th quarter Comcast franchise and PEG fee reports were reviewed. Franchise fees were higher than expected and PEG fees were less than the previous quarter. Franchise fee income for the 2023 budget exceeded estimated income. PEG fees should be close to estimated amounts. 2023 income estimates are in good shape.
- A table was distributed that showed how percentage of fee payments to cities was determined, and the division of the fee payment based on those percentages. Checks and reports will be sent to cities after approval by the Commission at the February 15th meeting.

OLD BUSINESS

- H. Arnson reported that Dan Tesch had contacted her to learn whether the Commission had approved the 4% COLA increase. He stated that he would be finished with recommendations for the Operations Committee soon.
- H. Arnson reviewed accomplishments regarding the Strategic Plan.

NEW BUSINESS

- The Committee was reminded that the next meeting will take place on February 28th.

ADJOURNMENT

The meeting was adjourned at 11:34 p.m.

**NORTH METRO TELECOMMUNICATION
BILL LIST**

JANUARY 2023

Date	Check #	Payee	Amount	
JANUARY	COMBINED	PAYROLL	46,506.31	WAGES
JANUARY	COMBINED	IRS/US PAYABLE	15,238.83	WAGES
JANUARY	COMBINED	MN REVENUE PAYABLE	2,574.04	WAGES
JANUARY	COMBINED	PERA PAYABLE	8,121.02	WAGES
JANUARY	COMBINED	PEACHTREE	46.00	MONTHLY SERVICE
JANUARY	COMBINED	DISCOVERY BENEFITS	26,077.88	HEALTH SAVINGS EMPLOYEE
JANUARY	COMBINED	MNREVENUE-GARNISH	770.82	WAGES
14110	1/2/23	Comcast	54.72	MONTHLY SERVICE
14111	1/2/23	Nat. Assn Officers & Advisors	2,325.00	2023 ANNUAL MEMBERSHIP
14112	1/2/23	Metro North Chamber of Comm.	500.00	2023 ANNUAL MEMBERSHIP
14113	1/2/23	B Harris, Inc.	675.00	QUARTERLY CONTRACT
14114	1/3/23	MN Assoc Comm Tele Admin	2,625.00	2023 ANNUAL MEMBERSHIP
14115	1/4/23	Ben Provost	160.00	STIPEND
14116	1/4/23	Max Twesten-McGowan	150.00	STIPEND
14117	1/9/23	Richard D. Larson	328.50	MONTHLY SERVICE
14118	1/9/23	Bradley Werner, LLC	1,112.50	LEGAL/GENERAL
14119	1/9/23	Danika Peterson	106.78	EXPENSES
14120	1/17/23	Coastal Wintergreen LLC	3,230.00	MONTHLY SERVICE
14121	1/17/23	PRINTER MALFUNCTION		
14122	1/17/23	Matthew Waldron	584.18	EXPENSES
14123	1/19/23	Z Systems	21,378.00	ROSS SUPPORT RENEWAL
14124	1/21/23	Evertz Microsystems LTD	54,740.87	MASTER CONTROL UPGRADES
14125	1/26/23	Theodore E. Leroux	167.92	EXPENSES
14126	1/26/23	Corporate Mechanical	7,390.00	MEZZANIN FURNACE REPLACED
14127	1/26/23	Metro Sales, Inc.	980.00	QUARTERLY CONTRACT
EFILE	1/1/23	Authorize.Net	34.89	MONTHLY SERVICE
EFILE	1/1/23	Virtual Merchant Credit Card	10.00	MONTHLY SERVICE
EFILE	1/15/23	Chase Visa Card Services	2,102.78	SFTWR/EQUIP/SECURITY/OS
EPAY-01	1/1/23	Principal Financial Group	619.18	STD/LTD/LIFE/ADD
EPAY-02	1/2/23	POPP TELECOM	247.66	MONTHLY SERVICE-JAN
EPAY-02	1/30/23	POPP TELECOM	249.72	MONTHLY SERVICE-FEB
EPAY-03	1/3/23	Comcast	541.27	MONTHLY SERVICE
EPAY-04	1/3/23	T-Mobile	102.40	GAS/OIL
EPAY-06	1/7/23	Circle K Station Stores	14.00	GAS/OIL
EPAY-07	1/12/23	AT&T Wireless	310.97	MONTHLY SERVICE
EPAY-08	1/14/23	Republic Services	448.10	MONTHLY SERVICE
EPAY-09	1/15/23	CenterPoint Energy	561.64	MONTHLY SERVICE
EPAY-10	1/15/23	Comcast Business 1000M/1000M	1,237.44	MONTHLY SERVICE
EPAY-11	1/16/23	U.S. Bank Card Service	1,776.12	SFTWR/ZOOM/SPMTG/ADV
EPAY-12	1/26/23	City of Blaine-utilities	76.93	MONTHLY SERVICE
EPAY-12	1/22/23	HealthPartners	12,192.51	HEALTH/DENTAL
EPAY-14	1/26/23	Connexus Energy	1,845.05	MONTHLY SERVICE
DEC SALES TAX	1/2/23	MN Dept. of Revenue	116.00	SALES TAX
BANK FEE	1/30/23	BANK FEE	49.82	POSITIVE PAY
			218,379.85	

North Metro Telecommunications Commission

Balance Sheet
January 31, 2023

ASSETS

Current Assets

Cash - Checking Account	\$ 2,930,005.19
Petty Cash	150.00
A/R - NMTC	174,710.09
Prepaid Insurance - NMTC	11,459.00

Total Current Assets 3,116,324.28

Property and Equipment

Office Equipment - NMTC	1,488,709.00
Accum Deprec - NMTC	(3,631,566.46)
Bond Equipment 2016	1,985,000.00
Building-Polk/125	1,613,485.84
Land-Polk/125	225,700.00

Total Property and Equipment 1,681,328.38

Other Assets

Deferred Out Related/Pension	299,695.00
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Total Other Assets 299,695.00

Total Assets \$ 5,097,347.66

LIABILITIES AND CAPITAL

Current Liabilities

A/P - NMTC	\$ 18,264.99
Accrued Payroll Taxes & W/H's	449.54
PERA - CORRECTIONS	(503.59)
PERA PAYABLE - PRIOR	(3,371.42)
Accrued Vacation	113,087.08
Accrued Wages	19,524.40
Franchise Fee App	926,091.63
Due to City of Blaine	339,318.00
Due to City of Centerville	21,042.00
Due to City of Circle Pines	30,176.50
Due to City of Ham Lake	87,948.00
Due to City of Lexington	11,187.00
Due to City of Lino Lakes	103,950.00
Due to City of Spring Lake Par	36,288.00
Deferred In Related/Pension	392,476.00

Total Current Liabilities 2,095,928.13

Long-Term Liabilities

Net Pension Liability	418,504.00
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Total Long-Term Liabilities 418,504.00

Total Liabilities 2,514,432.13

Capital

Net Equity	17,735.73
Net Equity - Media Ctr	(206,243.34)
Net Equity - NMTC	2,517,656.37
Net Income	253,766.77

Total Capital 2,582,915.53

Total Liabilities & Capital \$ 5,097,347.66

North Metro Telecommunications Comm

Cash Receipts Journal

For the Period From Jan 1, 2023 to Jan 31, 2023

Date	Transaction Ref	Line Description	Debit Amnt	Credit Amnt
1/1/23	JAN CC SALES-AUTH	JANUARY CREDIT CARD SALES-AUTH.NET		20.00
		JANUARY CREDIT CARD SALES-AUTH.NET-FEES	0.58	
		Credit Card Sales	19.42	
1/11/23	ARP FUNDS	CITY OF BLAINE ARP FUND PLAN Miscellaneous receipts	10,000.00	10,000.00
1/18/23	4TH QTR FRAN FEES	4TH QTR FRANCHISE FEES Comcast-Franchise	315,033.65	315,033.65
1/19/23	4TH QTR PEG FEES	4TH QTR PEG FEES Comcast-PEG Fees	160,355.83	160,355.83
1/23/23	JAN CC SALES-SQUARE	JANUARY CREDIT CARD SALES-SQUARE		488.51
		JANUARY CREDIT CARD SALES-SQUARE-FEES	13.12	
		Credit Card Sales	475.39	
1/24/23	JANUARY PAYPAL	JANUARY PAYPAL JANUARY PAYPAL - FEES	1.19	20.00
		PAYPAL	18.81	
1/31/23	INTEREST	INTEREST INTEREST - COMMISSION	9,927.76	9,927.76
			<u>495,845.75</u>	<u>495,845.75</u>

North Metro Telecommunications Comm

Check Register

For the Period From Jan 1, 2023 to Jan 31, 2023

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
EFILE	1/1/23	Authorize.Net	34.89
EPAY-01	1/1/23	Principal Financial Group	619.18
EFILE	1/1/23	Virtual Merchant Credit Card	10.00
EFILE	1/1/23	Discovery Benefits	25,000.00
EPAY-02	1/2/23	POPP TELECOM	247.66
14110	1/2/23	Comcast	54.72
14112	1/2/23	Metro North Chamber of Comm.	500.00
14111	1/2/23	Nat. Assn Officers & Advisors	2,325.00
14113	1/2/23	B Harris, Inc.	675.00
DEC SALES TAX	1/2/23	MN Dept. of Revenue	116.00
EPAY-04	1/3/23	T-Mobile	102.40
EPAY-03	1/3/23	Comcast	541.27
14114	1/3/23	MN Assoc Comm Tele Admin	2,625.00
14115	1/4/23	Ben Provost	160.00
14116	1/4/23	Max Twesten-McGowan	150.00
EPAY-06	1/7/23	Circle K Station Stores	14.00
14117	1/9/23	Richard D. Larson	328.50
14118	1/9/23	Bradley Werner, LLC	1,112.50
14119	1/9/23	Danika Peterson	106.78
EFILE	1/11/23	Discovery Benefits	527.69
EPAY-07	1/12/23	AT&T Wireless	310.97
EFILE	1/13/23	MN Dept. of Revenue	1,237.35
EFILE	1/13/23	Public Employees Retirement	3,964.33
EFILE	1/13/23	IRS/US BANK	6,917.78
PEACH	1/13/23	Peachtree/Sage Software	24.00
GARNISH	1/13/23	MN Dept. of Revenue	358.41
GARNISH-ADDL	1/13/23	MN Dept. of Revenue	27.00
EPAY-08	1/14/23	Republic Services	448.10
EPAY-09	1/15/23	CenterPoint Energy	561.64

North Metro Telecommunications Comm

Check Register

For the Period From Jan 1, 2023 to Jan 31, 2023

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
EFILE	1/15/23	Chase Visa Card Services	2,102.78
EPAY-10	1/15/23	Comcast Business 1000M/1000M	1,237.44
EPAY-11	1/16/23	U.S. Bank Card Service	1,776.12
14120	1/17/23	Coastal Wintergreen LLC	3,230.00
14122	1/17/23	Matthew Waldron	584.18
14121	1/17/23	PRINTER MALFUNCTION	
14123	1/19/23	Z Systems	21,378.00
14124	1/21/23	Evertz Microsystems LTD	54,740.87
EPAY-12	1/22/23	HealthPartners	12,192.51
EFILE	1/25/23	Discovery Benefits	22.50
EFILE	1/25/23	Discovery Benefits	527.69
EPAY-12	1/26/23	City of Blaine-utilities	76.93
EPAY-14	1/26/23	Connexus Energy	1,845.05
14125	1/26/23	Theodore E. Leroux	167.92
14126	1/26/23	Corporate Mechanical	7,390.00
14127	1/26/23	Metro Sales, Inc.	980.00
EFILE	1/27/23	MN Dept. of Revenue	1,224.80
EFILE	1/27/23	Public Employees Retirement	3,904.88
EFILE	1/27/23	IRS/US BANK	6,852.80
PEACH	1/27/23	Peachtree/Sage Software	22.00
GARNISH	1/27/23	MN Dept. of Revenue	385.41
EPAY-02	1/30/23	POPP TELECOM	249.72
BANK RECONCILLIATION	1/30/23	Bank Reconcilliation Fee	49.82
EFILE	1/31/23	Public Employees Retirement	251.81
EFILE	1/31/23	MN Dept. of Revenue	111.89
EFILE	1/31/23	IRS/US BANK	1,468.25
Total			171,873.54

North Metro Telecommunications Comm

General Journal

For the Period From Jan 1, 2023 to Jan 31, 2023

Date	Reference	Trans Description	Debit Amt	Credit Amt
1/1/23	ACCRUED VAC/COM/SICK	ACCRUED VAC/COMP/SICK ACCRUED VAC/COMP/SICK	108,141.64	108,141.64
1/1/23	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	13,685.60	13,685.60
1/31/23	ACCRUED DEPRECIATION	ACCRUED DEPRECIATION ACCRUED DEPRECIATION	12,900.00	12,900.00
1/31/23	ACCRUED VAC/COM/SICK	ACCRUED VAC/SICK/COMP ACCRUED VAC/SICK/COMP	113,087.08	113,087.08
1/31/23	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	19,524.40	19,524.40
	Total		267,338.72	267,338.72

**NORTH METRO TELECOMMUNICATION
BILL LIST**

DECEMBER 2022

Date	Check #	Payee	Amount	
DECEMBER	COMBINED	PAYROLL	59,326.39	WAGES
DECEMBER	COMBINED	IRS/US PAYABLE	20,426.67	WAGES
DECEMBER	COMBINED	MN REVENUE PAYABLE	3,625.61	WAGES
DECEMBER	COMBINED	PERA PAYABLE	11,537.01	WAGES
DECEMBER	COMBINED	PEACHTREE	72.00	MONTHLY SERVICE
DECEMBER	COMBINED	DISCOVERY BENEFITS	1,077.88	HEALTH SAVINGS EMPLOYEE
DECEMBER	COMBINED	MN REVENUE PAYABLE	1,156.23	GARNISH
12/1/22	14099	Gabe Anderson	300.00	STIPEND
12/1/22	14100	Richard D. Larson	328.50	JANITORIAL/MAINTENANCE
12/8/22	14101	Corporate Mechanical	691.98	FURNACE ISSUES
12/8/22	14102	DVS RENEWAL	268.25	LICENSE
12/8/22	14103	DVS RENEWAL	212.25	LICENSE
12/10/22	14104	Bradley Werner, LLC	687.50	LEGAL/GENERAL
12/14/22	14105	Coastal Wintergreen LLC	1,515.00	MONTHLY SERVICE
12/17/22	14106	Terry Tronson	259.79	EXPENSES
12/20/22	14107	Corporate Mechanical	909.02	QUARTERLY CONTRACT
12/25/22	14108	Heidi Arnson	157.48	EXPENSES
12/30/22	14109	Corporate Mechanical	384.38	GARAGE UNIT FURNACE
12/1/22	EFILE	Authorize.Net	34.29	MONTHLY SERVICE
12/15/22	EFILE	Chase Visa Card Services	4,464.17	OS/MEDIA/STUDIO/SFTWR
12/1/22	EFILE	Virtual Merchant Credit Card	10.00	MONTHLY SERVICE
12/29/22	BANK FEE	Bank Reconcilliation Fee	50.98	MONTHLY SERVICE
12/1/22	EPAY-01	Principal Financial Group	660.74	STD/LTD/LIFE/ADD
12/2/22	EPAY-02	POPP TELECOM	247.66	MONTHLY SERVICE
12/3/22	EPAY-03	Comcast	541.27	MONTHLY SERVICE
12/3/22	EPAY-04	T-Mobile	102.40	MONTHLY SERVICE
12/26/22	EPAY-05	Speedway	38.67	GAS/OIL
12/19/22	EPAY-06	Circle K Station Stores	124.33	GAS/OIL
12/12/22	EPAY-07	AT&T Wireless	310.97	MONTHLY SERVICE
12/14/22	EPAY-08	Republic Services	377.22	MONTHLY SERVICE
12/15/22	EPAY-09	CenterPoint Energy	216.89	MONTHLY SERVICE
12/15/22	EPAY-10	Comcast Business 1000M/1000M	1,237.44	MONTHLY SERVICE
12/16/22	EPAY-11	U.S. Bank Card Service	459.97	ZOOM/AD/BATRY/OS/SFTWR
12/22/22	EPAY-12	HealthPartners	12,192.51	HEALTH/DENTAL
12/26/22	EPAY-13	City of Blaine-utilities	129.40	MONTHLY SERVICE
12/26/22	EPAY-14	Connexus Energy	1,520.12	MONTHLY SERVICE
12/29/22	TEMP	Temporary Adjustment	-95.00	TEMP-TO BE REVERSED
12/15/22	NOV SALES TAX	MN Dept. of Revenue	98.00	SALES TAX
			125,657.97	

North Metro Telecommunications Commission

Balance Sheet
December 31, 2022

ASSETS

Current Assets

Cash - Checking Account	\$	2,652,554.18
Petty Cash		150.00
A/R - NMTC		174,710.09
Prepaid Insurance - NMTC		11,459.00

Total Current Assets 2,838,873.27

Property and Equipment

Office Equipment - NMTC	1,488,709.00
Accum Deprec - NMTC	(3,618,666.46)
Bond Equipment 2016	1,985,000.00
Building-Polk/125	1,613,485.84
Land-Polk/125	225,700.00

Total Property and Equipment 1,694,228.38

Other Assets

Deferred Out Related/Pension	299,695.00
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Total Other Assets 299,695.00

Total Assets \$ 4,832,796.65

LIABILITIES AND CAPITAL

Current Liabilities

A/P - NMTC	\$	18,264.99
Accrued Payroll Taxes & W/H's		449.54
PERA - CORRECTIONS		(503.59)
Garnished Wages		86.40
Garnished Wages		(86.40)
PERA PAYABLE - PRIOR		(3,371.42)
Accrued Vacation		108,141.64
Accrued Wages		13,685.60
Franchise Fee App		926,091.63
Due to City of Blaine		339,318.00
Due to City of Centerville		21,042.00
Due to City of Circle Pines		30,176.50
Due to City of Ham Lake		87,948.00
Due to City of Lexington		11,187.00
Due to City of Lino Lakes		103,950.00
Due to City of Spring Lake Par		36,288.00
Deferred In Related/Pension		392,476.00

Total Current Liabilities 2,085,143.89

Long-Term Liabilities

Net Pension Liability	418,504.00
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Total Long-Term Liabilities 418,504.00

Total Liabilities 2,503,647.89

Capital

Net Equity	193,814.23
Net Equity - Media Ctr	(206,243.34)
Net Equity - NMTC	2,517,656.37
Net Income	(176,078.50)

Total Capital 2,329,148.76

Total Liabilities & Capital \$ 4,832,796.65

North Metro Telecommunications Comm

Cash Receipts Journal

For the Period From Dec 1, 2022 to Dec 31, 2022

Date	Transaction Ref	Line Description	Debit Amnt	Credit Amnt
12/24/2	TAPE DUBS-CASH	TAPE DUBS-CASH Miscellaneous receipts	128.55	128.55
12/25/2	DEC CC SALES-AUTH	DECEMBER CREDIT CARD SALES-AUTHNET DECEMBER CREDIT CARD SALES-AUTHNET-FEES Credit Card Sales	1.16 38.84	40.00
12/26/2	REFUND	PROPERTY CASUALTY REFUND League of MN Cities	2,321.00	2,321.00
12/27/2	DEC CC SALES-AMEX	DECEMBER CREDIT CARD SALES-AMEX DECEMBER CREDIT CARD SALES-AMEX-FEES Credit Card Sales	0.76 19.24	20.00
12/28/2	DEC CC SALES-SQUAR	DECEMBER CREDIT CARD SALES-SQUARE DECEMBER CREDIT CARD SALES-SQUARE-FEES Credit Card Sales	39.99 1,491.92	1,531.91
12/31/2	INTEREST	INTEREST COMMISSION CHECKING INTEREST - COMMISSION	9,059.54	9,059.54
			<u>13,101.00</u>	<u>13,101.00</u>

North Metro Telecommunications Comm

Check Register

For the Period From Dec 1, 2022 to Dec 31, 2022

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
PEACH	12/16/22	Peachtree/Sage Software	24.00
GARNISH	12/16/22	MN Dept. of Revenue	385.41
14106	12/17/22	Terry Tronson	259.79
EPAY-06	12/19/22	Circle K Station Stores	124.33
14107	12/20/22	Corporate Mechanical	909.02
EPAY-12	12/22/22	HealthPartners	12,192.51
EFILE	12/25/22	Discovery Benefits	22.50
14108	12/25/22	Heidi Arnson	157.48
GARNISH	12/25/22	MN Dept. of Revenue	385.41
EPAY-13	12/26/22	City of Blaine-utilities	129.40
EPAY-14	12/26/22	Connexus Energy	1,520.12
EPAY-05	12/26/22	Speedway	38.67
EFILE	12/28/22	Discovery Benefits	527.69
BANK RECONCILLIATION	12/29/22	Bank Reconciliation Fee	50.98
TEMP	12/29/22	Temporary Adjustment	-95.00
EFILE	12/30/22	Public Employees Retirement	3,841.10
EFILE	12/30/22	IRS/US BANK	6,624.45
PEACH	12/30/22	Peachtree/Sage Software	24.00
EFILE	12/30/22	MN Dept. of Revenue	1,209.07
14109	12/30/22	Corporate Mechanical	384.38
EFILE	12/31/22	Public Employees Retirement	61.60
EFILE	12/31/22	IRS/US BANK	637.21
EFILE	12/31/22	MN Dept. of Revenue	15.51
Total			<u>66,331.58</u>

North Metro Telecommunications Comm

Check Register

For the Period From Dec 1, 2022 to Dec 31, 2022

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
EFILE	12/1/22	Authorize.Net	34.29
EFILE	12/1/22	Virtual Merchant Credit Card	10.00
14100	12/1/22	Richard D. Larson	328.50
EPAY-01	12/1/22	Principal Financial Group	660.74
14099	12/1/22	Gabe Anderson	300.00
EFILE	12/2/22	MN Dept. of Revenue	1,200.20
EFILE	12/2/22	Public Employees Retirement	3,816.28
EFILE	12/2/22	IRS/US BANK	6,581.19
PEACH	12/2/22	Peachtree/Sage Software	24.00
EPAY-02	12/2/22	POPP TELECOM	247.66
GARNISH	12/2/22	MN Dept. of Revenue	385.41
EPAY-04	12/3/22	T-Mobile	102.40
EPAY-03	12/3/22	Comcast	541.27
14101	12/8/22	Corporate Mechanical	691.98
14102	12/8/22	DVS RENEWAL	268.25
14103	12/8/22	DVS RENEWAL	212.25
14104	12/10/22	Bradley Werner, LLC	687.50
EPAY-07	12/12/22	AT&T Wireless	310.97
EFILE	12/14/22	Discovery Benefits	527.69
EPAY-08	12/14/22	Republic Services	377.22
14105	12/14/22	Coastal Wintergreen LLC	1,515.00
EPAY-09	12/15/22	CenterPoint Energy	216.89
NOVEMBER SALES TAX	12/15/22	MN Dept. of Revenue	98.00
EFILE	12/15/22	Chase Visa Card Services	4,464.17
EPAY-10	12/15/22	Comcast Business 1000M/1000M	1,237.44
EFILE	12/16/22	MN Dept. of Revenue	1,200.83
EFILE	12/16/22	Public Employees Retirement	3,818.03
EFILE	12/16/22	IRS/US BANK	6,583.82
EPAY-11	12/16/22	U.S. Bank Card Service	459.97

North Metro Telecommunications Comm

General Journal

For the Period From Dec 1, 2022 to Dec 31, 2022

Date	Reference	Trans Description	Debit Amt	Credit Amt
12/1/22	ACCRUED VAC/COM/SICK	ACCRUED VAC/COM/SICK ACCRUED VAC/COM/SICK	109,199.98	109,199.98
12/1/22	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	8,211.36	8,211.36
12/31/22	ACCRUED DEPRECIATION	ACCRUED DEPRECIATION ACCRUED DEPRECIATION	12,900.00	12,900.00
12/31/22	ACCRUED VAC/COM/SICK	ACCRUED VAC/COMP/SICK ACCRUED VAC/COMP/SICK	108,141.64	108,141.64
12/31/22	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	13,685.60	13,685.60
Total			<u>252,138.58</u>	<u>252,138.58</u>

North Metro TV

January 2023 Update

Program Production

In January, a total of **72 new programs** were produced utilizing the North Metro facilities, funds, and services. This constitutes **62:45:00 hours of new programming**.

- 25 programs were produced by the public
- 43 programs were produced by NMTV staff
- 4 programs were produced by City staff

Van Shoots

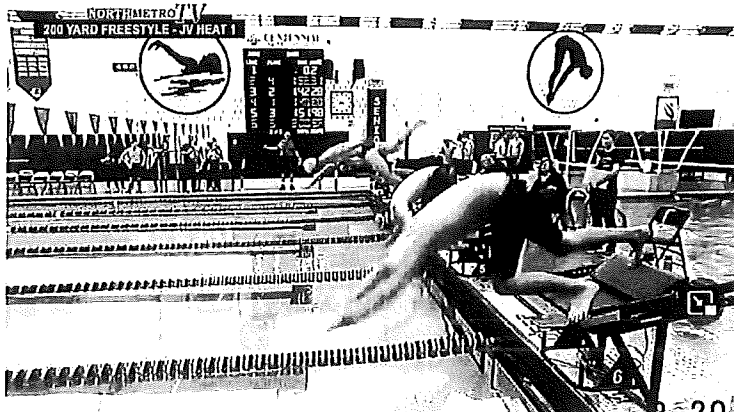
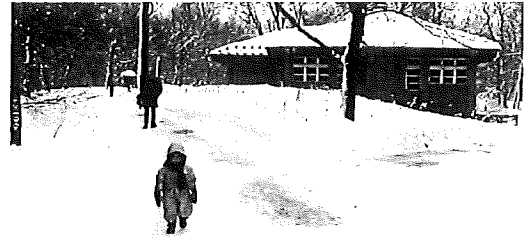
The HD production truck was utilized for 36:00:00 hours of production in January. The following events were produced live and/or recorded for additional playback:

- Boys Swim & Dive: Maple Grove vs. Centennial
- Boys Swim & Dive: Spring Lake Park vs. Blaine
- Girls Hockey: Blaine vs. Centennial/Spring Lake Park
- Girls Basketball: Armstrong vs. Spring Lake Park
- Boys Basketball: Centennial vs. Blaine
- Boys Hockey: Centennial vs. Spring Lake Park

vMix Live Streaming Shoots

The vMix single camera production system was utilized to record/stream 5 events. The vMix system requires significantly fewer staff members than the production truck. vMix crews are spread out over multiple locations and connected via the internet.

- Girls Basketball: Blaine vs. Centennial
- Girls Hockey: Osseo/Park Center vs. Centennial
- Boys Hockey: Centennial vs. Blaine
- Girls Hockey: Fargo North/South vs. Blaine
- Boys Hockey: Spring Lake Park vs. Blaine



Most Viewed YouTube School Event

Boys Swim & Dive: Maple Grove vs. Centennial
484 Views

Live Workshops

Workshop	Instructor	Organization	Students
Studio	Eric Houston	Blaine High School Business Professionals of America	3
1 Workshop			3 Students

VOD Workshop Views

Workshop	Type	# of Views	Hours Viewed
Batman's Greatest Villains	Mini	116	10.25 hrs
Columbo: One More Thing	Mini	3201	400 hrs
King of the Cowboys 4 – John Wayne	Mini	50	3 hrs
King of the Cowboys 3 – Randolph Scott	Mini	182	11.25 hrs
King of the Cowboys 2 – Autry/Rogers	Mini	131	8.25 hrs
King of the Cowboys 1 – Strong and Silent	Mini	54	4.75 hrs
Great British Game Shows	Mini	53	1.75 hrs
We Love Lucy: The Lucille Ball Story	Full	77	9.25 hrs
The Immortal Ingrid Pitt	Mini	652	27 hrs
The Oscars: 90 Years of the Academy Awards	Full	50	7.25 hrs
Tim Curry Horror Picture Show	Mini	20	.25 hrs
Back to the Eighties: The Decade's Biggest...	Full	11	1.25 hrs
James Bond: 50 Years of 007	Full	12	1 hrs
Eurovision: A Celebration	Mini	5	.25 hrs
Yabba-Dabba-Do! The Fantastic World of Hanna...	Full	558	65 hrs
Superman: The Man of Steel on the Silver Screen	Full	NA	NA
The Fantastic Four on the Silver Screen	Mini	NA	NA
Christmas in Hollywood	Full	NA	NA
TV's Greatest Christmas Specials	Full	7	1.75 hrs
Chicago Christmas Classics	Mini	453	20.75 hrs
Let's Go Ghostbusters: Filmation's Haunted Heroes	Mini	NA	NA
Monster Movies of the 40s and 50s	Full	272	17 hrs
Monster Movies of the 20s and 30s	Full	11	.25 hrs
The Presidency on Film JQA to JFK	Full	NA	NA
Monstervision: The Legend of Joe Bob Briggs	Mini	6	.5 hrs
The Cult of Caroline Munro	Mini	2566	85.5 hrs
The Marilyn Monroe Story	Full	NA	NA
Nick at Nite: A TV Viewer's Dream	Mini	47	2 hrs
The Birth of Animation: Mickey, Bugs, and Betty...	Full	23	4 hrs
Hollywood Goes to War: World War II	Full	73	6 hrs
Come on Down: Game Shows of the 70s and 80s	Full	87	21.75 hrs
The Quiz Show Scandals and Other Game Shows...	Full	224	97 hrs
The Three Stooges: Comedy's Heavy Hitters	Full	8	1 hr
The Marx Brothers: Groucho, Harpo, Chico...	Full	63	4.75 hrs
Mary Pickford: The World's First Movie Star	Full	NA	NA
Hollywood Goes to the Dogs: Lassie, Benji...	Full	NA	NA
36 VOD Workshops		9,012 Total Views	812.75 Hours Viewed



Most Viewed YouTube Workshop

Columbo: One More Thing
3,201 Views

YouTube Stats

Month	Viewers	Videos Viewed	Hours Watched	New Subscribers	Total Impressions
January	26,847	33,656	2,176.25	64	375,076
TOTAL:	26,847	33,656	2,176.25	64	375,076

NMTV Website Stats

Month	Number of Users	Number of Views	Live Stream Views
January	5,568	10,793	1,625
TOTAL:	5,568	10,793	1,625

Home Movie Transfers

Home movie transfers have become one of our most popular services. Residents can transfer their family videos themselves for free, or pay NMTV to do it. NMTV can also transfer film, slides, and photos for a fee.

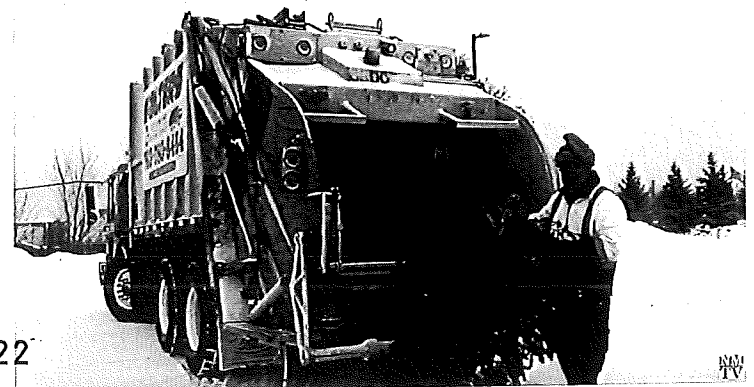
Month	Hours Transferred	Tapes	Film Reels	DVDs	Photos/Slides	Fees Paid
January	225	51	59	0	0	\$764.92
TOTAL:	225	51	59	0	0	\$764.92

Production Highlights

NMTV News Highlights

Each week Danika Peterson and Eric Nelson create a news program that highlights events, people, issues, and information important to citizens of our Member Cities. Some January highlights include:

- It's Time for Christmas Tree Recycling
- Wargo Nature Center is a Winter Wonderland
- Beware of Food Fads



- Anoka-Hennepin Educational Foundation Looks to Fund Innovative Teacher Grants
- Blaine Dance Team Performs in Florida Bowl Game
- Snow Time: Centerville Keeping Streets Plowed Despite Recent Storms
- Jolly Green Creature: Anoka resident creates Snowasaurus

In addition to daily playbacks of North Metro TV News on the cable systems, there are **1,176 local stories** archived for viewers on the **NMTV YouTube channel**. The channel can be accessed through the northmetrotv.com website.



Most Viewed YouTube News Story

Blaine Dance Team Performs in Florida Bowl Game
540 Views

Popular Public Safety Videos

Municipal Producer, Trevor Scholl, has been working on a new series of videos intended to highlight our local public safety employees. So far, he has produced three episodes. While the first episodes have highlighted police employees, he is working to get some fire employee interviews as well. The police officer videos have received almost 900 views on the NMTV YouTube page.

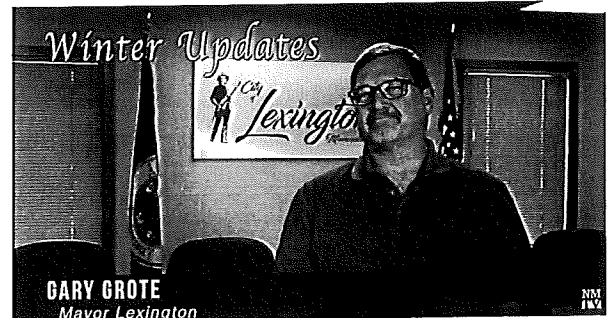


Marketing Team

Various members of the NMTV staff have organized a marketing team to find ways to publicize the many commercial services that we offer. The team formed and started meeting weekly, in January, and has accomplished quite a bit. So far, new rates for services have been determined, a uniform billing system established, a marketing video for the website is being created, and new print and electronic promotional materials are being developed.

Mayor's Minutes

Trevor Scholl has also been contacting Member City Mayors to schedule recordings of winter Mayor's Minutes. So far he has been able to coordinate Centerville's and Lexington's episodes. The show serves as a forum for Mayors to highlight issues and events in their Cities that they would like the residents to know about. He is working to schedule additional interviews.



Guns N Hoses Update

Special Projects Coordinator, T.J. Tronson, continues to work with Wes Pederson to produce the February 24th Guns N Hoses event. The match will be recorded and live streamed to both the cable channel and YouTube.

BHS Business Professionals of America

Students from the Blaine High School Business Professionals of America have been working with Studio Manager, Eric Houston, to create a presentation video. Editing was completed in January and the video was submitted to the competition. The video got them through regionals and into the state competition, so they will be back in February to do some additional work.



City Productions

In January, Municipal Producer, Trevor Scholl, completed five productions. They included two episodes of Mayor's Minutes and two episodes of his public safety employee profiles. Completed programs include:

- Mayor's Minutes: Centerville Winter 2023
- Mayor's Minutes: Lexington Winter 2023
- Public Safety Profile: Kelsey Smith, SLP PD
- Public Safety Profile: CLPD Officer Tyler Schroeder
- CenterStage: Atlas Villas



New and ongoing projects include:

- Winter Mayor's Minutes
- Public safety employee profiles
- NMTV services marketing video
- Rookery show
- Blaine Facebook live town halls

Trevor touches base with contacts on a regular basis and also encourages Cities to contact him with ideas for new videos.

Public Access Programs

Title	Producer	Runtime
MN Heals	Lorrie Henderson	00:20:46
Bad Movie Bros	Eric Houston	00:38:38
Rice Creek Watershed District Meeting (2 episodes)	Theresa Stasica	02:44:43
Christ Lutheran Church Worship (4 episodes)	Chance Amundson	03:51:03
Christ Lutheran Church Worship Message (4 episodes)	Chance Amundson	01:33:34
Lovepower (4 episodes)	Rick Larson	04:00:00
The Power of Love (4 episodes)	Rick Larson	02:00:00
Oak Park Community Church (5 episodes)	David Turnidge	03:31:58
25 New Programs		18:40:423 New Hours

NMTV Staff Programs

Title	Producer	Runtime
Anoka County Board Organizational and Regular Meeting (1/3/23)	T.J. Tronson	01:14:17
Anoka County Board Meeting (1/24/23)	T.J. Tronson	02:00:25
NMTV News (2 episodes)	Danika Peterson/Eric Nelson	00:49:38
Centerstage: Atlas Villas	Trevor Scholl	00:01:30
Mayor's Minutes: Centerville Winter 2023	Trevor Scholl	00:04:34
Public Safety Profiles: Kelsey Smith, SLP PD	Trevor Scholl	00:04:28
Mayor's Minutes: Lexington Winter 2023	Trevor Scholl	00:04:17
Public Safety Profiles: CLPD Officer Tyler Schroeder	Trevor Scholl	00:05:22
Boys Swim & Dive: Maple Grove/Centennial	Kenton Kipp/Ted Leroux	02:10:22
Boys Swim & Dive: Spring Lake	Kenton Kipp/Ted Leroux	01:53:17

Park/Blaine		
Girls Hockey: Blaine/Centennial-Spring Lake Park	Kenton Kipp/Ted Leroux	01:22:48
Girls Basketball: Armstrong/Spring Lake Park	Kenton Kipp/Ted Leroux	01:24:45
Boys Basketball: Centennial/Blaine	Kenton Kipp/Ted Leroux	01:18:29
Boys Hockey: Centennial/Spring Lake Park	Kenton Kipp/Ted Leroux	01:26:30
Girls Basketball: Blaine/Centennial	Kenton Kipp/Ted Leroux	01:26:46
Girls Hockey: Osseo-Park Center/Centennial	Kenton Kipp/Ted Leroux	01:31:17
Boys Hockey: Centennial/Blaine	Kenton Kipp/Ted Leroux	01:26:52
Girls Hockey: Fargo North-South/Blaine	Kenton Kipp/Ted Leroux	01:20:03
Boys Hockey: Spring Lake Park/Blaine	Kenton Kipp/Ted Leroux	01:36:01
Sports Den (4 episodes)	Kenton Kipp/Ted Leroux	01:25:59
24 New Programs		22:46:40 New Hours

City Meetings

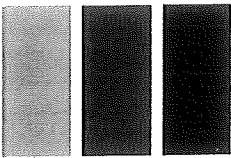
Title	Producer	Runtime
Blaine City Council Meeting (1/4/23)	T.J. Tronson	02:00:05
Blaine Planning Commission Meeting (1/10/23)	T.J. Tronson	00:17:42
Blaine City Council Meeting (1/18/23)	Trevor Scholl	01:59:08
Blaine Park Board Meeting (1/24/23)	Trevor Scholl/Eric Nelson	00:43:50
Centerville City Council Meeting (1/11/23)	Teresa Bender	00:44:40
Centerville Planning & Zoning Meeting (1/17/23)	Teresa Bender	01:48:37
Centerville EDA Meeting (1/18/23)	John Murphy	01:35:32
Centerville City Council Meeting (1/25/23)	Trevor Scholl	01:59:41
Circle Pines City Council Meeting (1/10/23)	Danika Peterson/Ray Flint	01:01:57
Circle Pines Utility Commission Meeting (1/18/23)	Danika Peterson/Ray Flint	00:41:41
Circle Pines City Council Meeting (1/24/23)	Ray Flint	00:40:36
Ham Lake City Council Meeting (1/3/23)	Trevor Scholl	00:20:18
Ham Lake Planning Commission Meeting (1/9/23)	Trevor Scholl/Eric Nelson	00:44:55
Ham Lake City Council Meeting (1/17/23)	Matt Waldron	00:28:36
Lexington City Council Meeting (1/5/23)	Lexington Staff	00:24:53
Lexington City Council Meeting (1/19/23)	Lexington Staff	00:12:45
Lino Lakes City Council Meeting (1/9/23)	Anne Serwe	00:12:23
Lino Lakes Planning & Zoning Meeting (1/11/23)	Anne Serwe	00:25:10
Lino Lakes City Council Meeting (1/23/23)	Anne Serwe	00:06:19
Lino Lakes Environmental Board Meeting (1/25/23)	Anne Serwe	01:44:16
Spring Lake Park City Council Meeting (1/3/23)	Ray Flint	00:48:51
Spring Lake Park City Council Meeting (1/17/23)	Ray Flint	00:39:14
Centennial Fire District Steering Committee Meeting (1/19/23)	Ray Flint	01:27:36
23 New Programs		21:26:47 New Hours

If you have any questions or comments regarding this monthly report please contact Heidi Arnson at 763.231.2801 or harnson@northmetrotv.com.

NORTH METRO TV

Production Statistics 2023

Programming Statistics	J	F	M	A	M	J	JU	A	S	O	N	D	23 Total	23 Average
Cablecast Programs	2321.00												2321.00	193.42
Cablecast Hours	1917.00												1917.00	159.75
Programs Produced - Public	18.00												18.00	1.50
Program Hours Produced - Public	12.50												12.50	1.04
Prog. Produced - Affiliated Public	7.00												7.00	0.58
Prog. Hours Produced - Affil. Public	6.25												6.25	0.52
Programs Produced - City Staff	4.00												4.00	0.33
Prog. Hours Produced - City Staff	3.00												3.00	0.25
Programs Produced - NMTV Staff	43.00												43.00	3.58
Prog. Hours Produced - NMTV Staff	41.00												41.00	3.42
Total Public Programs Produced	25.00												25.00	2.08
Total Staff Programs Produced	47.00												47.00	3.92
Total Internal Programs Produced	72.00												72.00	6.00
% Staff Produced Programs	65.28%												65.28%	65.28%
% Public Produced Programs	34.72%												34.72%	34.72%
External Programs Submitted	24.00												24.00	2.00
External Program Hours	31.00												31.00	2.58
Total New Programs	96.00												96.00	8.00
Public Equipment Usage Statistics														
Facility Hours Available	154.00												154.00	12.83
Camera Check Outs	11.00												11.00	0.92
Studio A	15.25												15.25	1.27
% of Available Time	9.90%												9.90%	9.90%
Studio B	7.50												7.50	0.63
% of Available Time	4.87%												4.87%	4.87%
Ediling	33.25												33.25	2.77
% of Available Time	21.59%												21.59%	1.25%
Number of Public Facility Users	10.00												10.00	0.83
Total Hours of Public Use	56.00												56.00	4.67
Production Van/Mix Statistics														
Number of Van Shoots	6.00												6.00	0.50
Total Van Usage Hours	36.00												36.00	3.00
Number of vMix Shoots	5.00												5.00	0.04
Intern Hours	0.00												0.00	0.00
Volunteer Hours	5.00												5.00	0.42
Workshop Statistics														
Number of Live Workshops	1.00												1.00	0.08
Number of Students at Live Wkshps	3.00												3.00	0.25
VOD Students All Workshops	9012.00												9012.00	751.00
Media Transfer Statistics														
Total Transfer Equip. Usage Hours	225.00												225.00	18.75
Tapes Transferred	51.00												51.00	4.25
Film Reels Transferred	59.00												59.00	1.56
Slides/Photos Transferred	0.00												0.00	0.00
DVDs Copied	0.00												0.00	0.00
Transfer Hours By Public	1.00												1.00	0.08
Transfer Hours By Staff	224.00												224.00	18.67
NMTV YouTube Statistics														
Number of Viewers	26847.00												26847.00	2237.25
Total Videos Viewed	33656.00												33656.00	2804.67
Total Hours Watched	2176.25												2176.25	181.35
Number of New Subscribers	64.00												64.00	5.33
Total Impressions	375076.00												375076.00	31256.33
NMTV Website Statistics														
Number of Users	5588.00												5588.00	464.00
Number of Views	10793.00												10793.00	899.42
Live Stream Views	1625.00												1625.00	135.42



Bradley Werner
Attorneys at Law

MEMORANDUM

To: North Metro Telecommunications Commission
From: Nancy Werner, Mike Bradley, and Michael Athay
Re: February, 2023 Legal Report
Date: February 3, 2023

Comment Dates Set for FCC NPRM on Digital Discrimination of Access to Broadband

In December, the Federal Communications Commission adopted a Notice of Proposed Rulemaking (NPRM available [here](#)) that has the potential to impact local governments' ability to ensure equitable broadband deployment throughout their communities, as well as local rights-of-way management generally. As mandated by Congress in the Infrastructure Investment and Jobs Act, the Commission will adopt rules aimed at facilitating equal access to broadband services. The Commission expressly contemplates addressing state and local laws that may impact infrastructure deployment. Unlike many past NPRMs impacting local governments, in this case, local governments have the opportunity to proactively propose rules and rule changes that support local authority, including revisiting the cable franchising and small cell orders of 2018 and 2019 that impede local governments' ability to address deployment issues in our communities.

Bradley Werner recommends that local governments prepare written Comments and Reply Comments in this proceeding and we are assembling a group of clients to do so. Comments are due on or before February 21, 2023, and reply comments are due on or before March 21, 2023. **If you think your jurisdiction will be interested in participating in the group, please let us know.** Many jurisdictions have expressed an interest in a group effort.

Werner Presents eNATO Seminar for Local Governments

Bradley Werner attorney Nancy Werner presented at an eNATO seminar in January with an attorney from a Washington D.C. law firm and an accountant specializing in franchise fee reviews. The name of the seminar was "Cable Franchising Today and the Future of ROW Franchising." Nancy's presentation featured a summary of FCC rules impacting cable franchise agreements, tips for addressing the rules in franchise renewals, and a discussion of options to address the impact of streaming services on franchise fees and rights of way management.

Comcast Loses 11.2% of Its Pay TV Subscribers in 2022

Broadcasting+Cable reported last month that Comcast, the largest provider of linear pay TV service in the country, lost 440,000 traditional video subscribers in the last quarter of 2022 – a significant acceleration over the 227,000 customers who left in the last three months of 2021. For all of 2022, Comcast shed 2.034 million pay TV customers, and that was a large increase from the

Bradley Werner, LLC

1.67 million lost in 2021. That amounts to an overall 11.2% subscriber decline last year, leaving only some 16.1 million subscribers, compared with nearly 20 million subs only three years ago.

Comcast reported these numbers during its fourth quarter earnings report, according to *Broadcasting+Cable* (details available [here](#)). Moreover, *Broadcasting+Cable* reported, while Comcast's Peacock streaming service reached a 1% share of viewers for the first time in December (according to Nielsen), expanding its paid customers to 20 million from 15 million in the third quarter, the service's quarterly losses grew to \$978 million for the fourth quarter of 2022. This compares with reported third quarter losses of \$614 million.

Additionally, *Broadcasting+Cable* reported that Comcast said it lost 26,000 high-speed internet users in Q4 due to the impact of Hurricane Ian, eliminating what it said should have been a customer gain of approximately 4 million. As a result, Comcast added only 250,000 broadband customers for the year, producing a loss for the final six months of 2022. By contrast, Comcast added over 1.3 million broadband customers in the fourth quarter of 2021 alone. At about the same time, Verizon reported record growth of 379,000 customers for its fixed wireless access home internet service.

National Spending on Advertising on Linear Television Declines in 2022

National spending on linear television advertising dropped 5 percent in 2022 according to a *Broadcasting+Cable* report last month (found [here](#)) on new numbers from Standard Media Index. In December, 2022, spending dropped 2 percent, following an 11 percent decline in October and a 4 percent decline in November. The fourth quarter of 2022 was down 6 percent.

Fourth quarter ad spending on news programming declined 7 percent and spending on entertainment programming declined 10 percent, though with the NFL season, fourth quarter spending on sports increased by 2 percent. For the year, advertising spending on sports programming declined the least with a 1 percent drop, while advertising on news programming fell 7 percent and on entertainment programming, 6 percent.

By industry segment, advertising on broadcast TV declined 1.1 percent in December, cable advertising declined 2.8 percent and syndication declined 2.3 percent. For the fourth quarter, broadcast advertising was down 3 percent, cable advertising down 8 percent and syndication down 15 percent.

According to *Broadcasting+Cable*, TV spending was affected by the shift of NFL football to streaming, particularly *Thursday Night Football*'s move from Fox and the NFL Network to Amazon Prime Video, though including NFL streaming, national linear spending overall was up 2% in December.

Charter Settles \$7 Billion Jury Verdict From 2022 for Fraction of Verdict

NextTV reports that Charter Communications will pay only a fraction of a \$7 billion civil verdict against it last summer after a jury determined that the cable company was 90% responsible for the stabbing death of an Irving, Texas grandmother by a Charter cable technician. That verdict and

details of the case were reported in this newsletter. In a December, 2022 SEC filing, Charter reported that after the plaintiffs agreed to settle the matter for \$268 million, Charter settled for a “substantially” lower sum (not disclosed) that industry analysts said was “... within Charter's insurance coverage and shouldn't cost Charter anything.” NextTV reported the settlement was reached after a Charter technician was convicted of the December 2019 stabbing death of 83-year-old Charter customer Betty Thomas in the course of a botched robbery attempt. According to NextTV's coverage, the deceased's adult children convinced a jury that Charter performed a shoddy background check of the technician and ignored obvious signs of his financial and emotional distress. NextTV's coverage is available [here](#) and its original story [here](#).

Governor Releases Broadband, Economic Development Budget and Policy Proposals

The Minnesota League of Cities announced last month that Gov. Tim Walz, on January 19, 2023, released his proposed \$4.1 billion, two-year economic development budget, which includes a number of League priorities for supporting broadband development and local economic development more generally. The Administration's fact sheet, available [here](#), details specific provisions of the budget proposal.

The *Increasing Access to Broadband* section of the budget proposal provides for \$276 million in new funding to expand the reach of the Border-to-Border Broadband Development Grant Program. This is in addition to nearly \$230 million the Program has provided since its inception in 2014 to connect 90,000 Minnesota homes and businesses to high-speed internet. The Program is dedicated to expanding broadband service to areas of the State that are unserved or underserved, pursuant to the state's goal that all homes and businesses have broadband access by 2026.

Other provisions of the budget proposal include:

- \$1 billion to provide payments of \$1,500 to frontline workers impacted by the pandemic, including public safety, transportation, and building services workers.
- Reinstatement of the State Historic Structure Rehabilitation Tax Credit to support construction and economic development in communities across the state.
- \$13 million for the Adult Tech Training Program for BIPOC Minnesotans to advance technology training and address racial gaps in the technology industry.
- Nearly \$85 million in new funding for the Main Street Economic Revitalization Fund to assist communities hit by the events of 2020.
- New funding for the Small Business Navigation Program and \$40 million for an Expanding Opportunity Fund to accelerate capital into small businesses.
- Extension of Angel Investor Tax Credit.
- Programs to support climate adaptation and resiliency, including \$114 million for a State Competitiveness Fund to unlock Infrastructure Improvement and Jobs Act funding and assist rural, tribal, and disadvantaged communities with grant-writing help.
- \$700 million in direct payments to Minnesotans via check up to \$350.
- Paid family and medical leave insurance program and required earned sick and safe time.
- \$30 million over the biennium to support workforce training of the five most critical occupational categories in the state: technology, caring professions, education, manufacturing, and trades.

LMC Summarizes Recent American Rescue Plan Act Updates for Fund Recipients

In a bulletin dated January 30, 2023 (available [here](#)) the League of Minnesota Cities provided the following important updates for recipients of American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF).

Treasury Reopens ARPA Customer Service Center

The U.S. Treasury Department will reopen ARPA customer service centers to assist SLFRF recipients. This service was cut back when funding ran short in October, 2022. At the end of the year, Congress passed its final budget package for 2023, which provides Treasury the authority to restore this assistance in complying with the complex rules and requirements of the SLFRF program.

Standard Allowance Election Extension Through April 2023

As outlined in Treasury's final rule, SLFRF recipients had the option to make a one-time election to either calculate revenue loss according to the formula outlined in the final rule or elect a "standard allowance" of up to \$10 million, not to exceed the award allocation, to spend on government services throughout the period of performance.

Recipients were asked to make this election during the April 2022 reporting deadline. Based on recipient feedback and in anticipation of additional questions related to the revenue loss election, Treasury has decided to keep the Standard Allowance election portion of the reporting portal open for recipients through April 2023, which will permit recipients to update their prior revenue loss election. Upon update, the prior revenue loss election will be superseded.

Treasury expects to keep this election opportunity open through the April 2023 reporting period to provide an opportunity for annual reporters (NEUs) to take advantage of this flexibility. Recipients continue to be required to use the same methodology across the period of performance (i.e., choose either the standard allowance or the regular formula), and may not elect one approach for certain reporting years and the other approach for different reporting years.

ARPA Flex Provision

The ARPA Flex provision provides additional flexibility for states, tribes, and local units of government to spend up to \$10 million or 30% of the total ARPA funds received on the following newly eligible SLFRF grant expenditures:

- Spending to provide emergency relief from natural disasters, including temporary emergency housing, food assistance, financial assistance for lost wages, or other immediate needs.
- Spending on transportation infrastructure, eligible projects and matching funds.
- Spending on any program, project, or service that would also be eligible under the Department of Housing and Urban Development's Community Development Block Grant program.

Pandemic Response Accountability Committee (Prac) Provides Pandemic Relief Data

PRAC provides data and interactive tools (found [here](#)) that detail pandemic spending. Using these tools, users can drill down by state, county, or city to see how various pandemic relief funds have been used. This tool provides access to Project and Expenditure Report information filed by SLFRF recipients, details of Paycheck Protection Program recipients, and Restaurant Revitalization Fund grant details among others.

Bill Providing Limited Open Meeting Law Exception Passes House Committee

The League of Minnesota Cities reported in a January 23, 2023 bulletin that a bill to authorize a limited medical exception to the Minnesota Open Meeting Law passed the Minnesota House of Representatives State and Local Government Finance and Policy Committee following a January 19, 2023 hearing before the Committee. The bill, HF 198, would allow members of a public body to participate in an open meeting through interactive technology from a nonpublic location up to three times in a year if advised by a health professional against being in a public place for personal or family medical reasons.

Under current law, this medical exemption is available only when a state of emergency has been declared under state law. HF 198 removes the state of emergency limitation.

Minnetonka Mayor and former League of Minnesota Cities President Brad Wiersum provided testimony at the hearing, stating that the bill would provide limited flexibility for elected officials to navigate medical issues in their lives while managing the duties of their elected office. Olmsted County Commissioner Sheila Kiscaden also testified in support of the bill.

A Senate companion bill, SF 455 (Sen. Jim Carlson, DFL-Eagan), has not yet been scheduled for a hearing. LMC's bulletin is available [here](#) and includes a link to a video of the hearing.

Minnesota House Bill Supports Website Accessibility for Cities, Counties

On January 24, 2023, the Minnesota House of Representatives Human Services Finance Committee heard HF 480 (Rep. Steve Elkins, DFL-Bloomington), which would provide funding to the Minnesota Council on Disability (MCOD) to help cities and counties meet accepted accessibility standards for their websites. According to the League of Minnesota Cities, the bill would allocate \$250,000 in each of fiscal years 2024 and 2025 for hiring full-time employees who would help develop statewide training for cities and counties and provide outreach and technical assistance. MCOD would be required to report annually to the Legislature regarding the program, including estimated costs to make recommended changes to city and county websites. The bill was held over for possible inclusion in the omnibus health and human services bill.

League staff testified in support of the bill at the hearing and in written testimony from the League and the Association of Minnesota Counties, which can be found [here](#). The League testimony focused on the importance of assisting cities, especially less-resourced cities, with ensuring their websites and content are accessible to all residents, and on the value of MCOD reporting in

informing the legislature regarding city costs to upgrade their websites to ensure accessibility and the state's role in meeting those costs. The League's bulletin can be found [here](#).

DOJ Sues Google For Monopolization of Online Advertising Market

Law360 reported that on January 24, 2023 the U.S. Department of Justice filed a complaint in a Virginia federal court alleging that Google has illegally established a monopoly on digital advertising technology, and seeking a court order to break up that part of its business. The full article can be found [here](#)

Specifically, the DOJ's 153-page complaint alleges that Google has pursued "a systematic campaign to seize control of the wide swath of high-tech tools used by publishers, advertisers, and brokers, to facilitate digital advertising" and that it purchased competitors and potential competitors in order to "neutralize or eliminate" competition in the space that pairs advertisers, website publishers and everyday users in high-speed auctions for specific ads to reach specific audiences on specific websites. The complaint seeks "the divestiture of, at minimum, the Google Ad Manager suite, including both Google's publisher ad server, DFP, and Google's ad exchange, AdX, along with any additional structural relief as needed to cure any anticompetitive harm."

Similar monopolization claims have been alleged against Google by a group of state attorneys general, led by Texas, who are focusing on Google's role in selling advertising space on third-party websites. Both DOJ and the state attorneys general accuse Google of "[having] corrupted legitimate competition in the ad tech industry" by buying up potential and current competitors. That coalition first filed in 2020, in a lawsuit that has now been consolidated with private litigation in a New York federal court, where a judge in September largely allowed the government allegations to move forward. The judge found the coalition had plausibly alleged that Google has used its market power in the ad-exchange market to coerce publishers to license its publisher ad server as well as a monopolization claim and an attempt to monopolize claim.

More than two years ago, DOJ brought its first monopolization lawsuit against Google based on Google's alleged domination of online searching and the ads that accompany search results. That suit is expected to go to trial in September.

The new DOJ lawsuit is captioned *United States et al. v. Google LLC*, case number 1:23-cv-00108, in the U.S. District Court for the Eastern District of Virginia.

NORTH METRO TV

TO: CABLE COMMISSION
FROM: HEIDI ARNSON
SUBJECT: PAY STUDY UPDATE
DATE: 1/25/2023

Background

As you are aware, last year, the Operations Committee asked me to perform a salary survey of other community television organizations throughout the Twin Cities. The results of the survey seemed to show that, in general, NMTV positions were below the survey average. Some positions were very well below the average.

After analysis of the information, the Operations Committee determined that a consultant should be retained to review and finalize any recommendations to the Cable Commission. Dan Tesch was selected for the project and work has been ongoing.

In the meantime, based on the low level of current NMTV salaries compared to 2022 survey figures, and with the hope of not getting further behind in 2023, the Operations Committee recommended that the Cable Commission approve an adjustment to the budgeted COLA, increasing it from 2.75% to 4%. This adjustment was approved by the Commission at the December meeting.

Update

Dan Tesch is now working with a sub-committee, of the Operations Committee, to finalize any market adjustments to the current step scale. Once those recommendations are finalized, they will be presented to the Cable Commission for consideration, and final approval. As the next Commission meeting isn't scheduled to take place until June, a special meeting may be called to consider any adjustments in a more timely manner.

NORTH METRO TV

TO: OPERATIONS COMMITTEE /CABLE COMMISSION
FROM: HEIDI ARNSON
SUBJECT: 2023 DISBURSEMENT OF FEES TO CITIES
DATE: 1/25/2023

Each year, after receipt of the 4th quarter franchise and PEG fees from Comcast, calculations are made to determine the amount of fees to be returned to each City.

As a reminder, I thought it would be helpful to provide a brief background explaining the process for determining the amount of fees returned to each City.

First, the Joint Powers Agreement (JPA) establishes the flow of funds from the cable company to the Commission. Both the JPA and the Franchise document offer further guidance regarding the payment and distribution of those funds.

The process is as follows:

- Franchise and PEG fees are paid by the cable company quarterly.
- Franchise and PEG fees are paid to the Commission.
- Fees must be received by the Commission within 30 days of the end of the quarter.
- Franchise fees collected in 2022 are utilized for the 2023 budget year. PEG fees are utilized in the year they are received.
- The Commission/NMTV budget is funded by franchise and PEG fees.
- The amount of fees returned to cities is determined during the NMTV budgeting process. (May-June each year)
- That amount is divided between the Member Cities based on the percentage of each city's cable revenue compared to total system cable revenue.
- The Cable Commission considers this distribution at the February meeting, and typically recommends disbursement of the funds as presented.
- City use of fees is currently restricted by the JPA to any "citizen communications-related" expense. However, in the future, PEG fees may be restricted to cable television capital expenditures only.

- A second payment is made to cities, from the Commission, to be utilized for payment of the HD equipment bond. Those funds are usually dispersed in the spring.

DISBURSEMENT OF FEES RECEIVED BY CITIES IN 2023
--

CITY	TOTAL FEES RETAINED BY CITIES		CITY REVENUE AS % OF SYSTEM REVENUE		TOTAL FEES RETAINED BY EACH CITY
Blaine	\$200,000	x	54.98212%	=	\$109,964.24
Centerville	\$200,000	x	3.58547%	=	\$7,170.94
Circle Pines	\$200,000	x	4.17023%	=	\$8,340.46
Ham Lake	\$200,000	x	13.97507%	=	\$27,950.14
Lexington	\$200,000	x	1.56544%	=	\$3,130.88
Lino Lakes	\$200,000	x	16.39636%	=	\$32,792.72
Spring Lake Park	\$200,000	x	5.32532%	=	\$10,650.63
TOTAL:	\$200,000	x	100.00001%	=	\$200,000.01

★ All amounts are rounded to nearest dollar.

1. DIVERSIFY REVENUE STREAMS

The current funding model for community television services, which relies on cable franchise and PEG fees, is experiencing challenges. With a dramatic shift toward streaming entertainment services, income generation from cable fees is diminishing. **That makes diversifying revenue streams a high priority.**

North Metro TV staff has been attuned to this shift for several years and has laid the groundwork for creating and expanding commercial services to augment income. Generating income from commercial services can be a source of supplemental income, but it is unlikely it could replace franchise and PEG fees. As such it will also be important to work with partners on the local, state and federal level to find a funding replacement.

- EXPAND CURRENT COMMERCIAL SERVICES
 - Home media transfers
 - Your History
 - Streaming of events for schools, cities, athletic venues, and non-profits
 - Video production of commercials, events and promotional materials
- DEVELOP NEW INCOME SOURCES
 - Closed captioning for non-member cities, organizations
 - Season sponsorships of high school teams
 - Streaming services for businesses
 - Access to archived sporting events for a fee
 - Equipment rental
 - Monitor communications trends and partner needs that could become income sources
 - Partner with School Sports Media/Neighborhood Sports Network to monetize coverage of high school sports

- MARKET SERVICES
 - Assemble team to determine marketing strategy and fee structure
 - Pull members from all departments
 - Review fee and billing structure
 - Develop marketing materials
 - Promote availability of commercial services in an economical way
 - Social media
 - City newsletters, websites
 - Targeted emails
 - Chamber of Commerce newsletters, websites, groups
 - Place marketing flyers in public venues such as libraries and city halls
 - Electronic signs
- WORK WITH PARTNERS TO SUPPORT SUSTAINABLE SOURCE OF INCOME
 - Support and participate in MACTA, NATOA, and LMC efforts to develop replacement income for franchise and PEG fees

2. DETERMINE DESIRED SERVICES AND STAFFING

Staffing levels and equipment purchases are largely dependent upon income and desired services. To date, cable fees and other miscellaneous income have allowed North Metro TV to maintain its current staffing and service level. That may not be the case in the future.

Both a short term and long term approach to addressing this issue will be undertaken.

- SHORT TERM
 - Monitor income levels
 - Franchise and PEG fees
 - Franchising issues that can affect expenditures of funds
 - Development of alternate sources of income
 - Consider resources expended on commercial services vs. income
 - Respond to staff departures
 - Determine if the position must be filled
 - Can duties be assumed by remaining staff
 - Can duties be accomplished more economically by outsourcing/contracting
 - Accounting/HR
 - Engineering

- LONG TERM
 - Determine desired services
 - Survey partners to assess value/desire for various services
 - Determine cost for each service
 - Determine level of staffing required for services
 - Adjust staffing levels to meet desired service requirements and budget

3. PREPARE FOR LEADERSHIP TRANSITION

Executive Director Heidi Arnson and Administrative Assistant/IT/Accountant Rose Valez will both be retiring in 2023. **As such, a major goal will be to seamlessly transition to new leadership.**

- PREPARE FOR ROSE VALEZ'S RETIREMENT IN JUNE
 - Move certain responsibilities to other staff
 - Managing building maintenance
 - Monitoring and ordering office supplies
 - Office computer maintenance and troubleshooting
 - New hire paperwork processing
 - Contract with accounting/payroll service
- PREPARE FOR HEIDI ARNISON'S RETIREMENT IN DECEMBER
 - Make sure documents and files are organized and easily accessible for staff and new ED
 - Throughout 2023 involve select staff in day to day responsibilities of ED
 - Ensure retention of institutional knowledge through review of history and important documents
 - Review deadlines and procedures
 - Budgeting and financials
 - Reporting
 - Monthly Update and City Report
 - Meeting Talking Points
 - Meetings
 - Commission/Operations Committee on-boarding
 - Scheduling
 - Minutes
 - Cable franchise enforcement, issues, and responsibilities
 - Mediating Comcast customer complaints

NORTH METRO TV

TO: CABLE COMMISSION
FROM: HEIDI ARNSON
SUBJECT: EXECUTIVE COMMITTEE NOMINATIONS
DATE: 2/7/2023

Each year, the Commission is required to elect an Executive Committee comprised of Chair, Vice Chair, Treasurer, and Secretary. This Committee meets quarterly on the first Wednesday of February, June, September and December, at 6:00 p.m. at the NMTV facility. The Executive Committee discusses matters that will come before the full Commission, and makes recommendations, to the full Commission, regarding those matters.

Any member of the Commission can hold any seat, except that a Member cannot hold the same seat three years consecutively.

Four Members of the Commission have indicated a willingness to serve on the Executive Committee. They are Dale Stoesz for Chair, Barbara Goodboe-Bisschoff for Vice Chair, Brandon Winge for Secretary, and Chris Massoglia for Treasurer. Recommendations for approval by the full Commission will take place at the February 15th meeting.

NORTH METRO TV

TO: CABLE COMMISSION
FROM: HEIDI ARNSON
SUBJECT: INSURANCE LIABILITY WAIVER
DATE: 1/25/2023

Every year, as an administrative matter, the Commission has to decide whether or not to waive the statutory tort liability limits for insurance purposes. This decision determines the amount an individual would be able to recover on any claim to which the statutory tort limits apply. In the past, the Commission has opted to NOT WAIVE the monetary limits on municipal liability.

RECOMMENDED MOTION: To NOT WAIVE the monetary limits on municipal tort liability.



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SINCE 1913

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: _____

Check one:

☐ The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

☐ The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____

Sen. Edward Markey Urges Movement on Sohn Nomination

By John Eggerton
published 3 days ago

Mass. Democrat says delay is 'outrageous,' citing alleged homophobia as one reason

Sen. Ed Markey (D-Mass.) is urging Congress to move the nomination of Gigi Sohn to be the fifth member of the Federal Communications Commission.

Her nomination has been held up for two years because not enough Democrats could be lined up to hold a Senate vote. The nomination failed to be reported favorably from the Commerce Committee, which was tied on advancing it to the full Senate.

"It is outrageous that the FCC has gone without a full slate of commissioners while the nomination of the supremely qualified and prepared nominee, Gigi Sohn, languishes amidst lies and homophobia," Markey said.

Sohn would be the first openly gay FCC commissioner, though her failure to advance has likely more to do with her support for Title II-based net neutrality rules and some tweets when she was a private citizen.

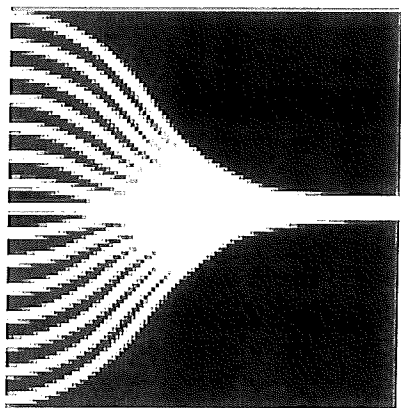
"The work of the Commission — from net neutrality to closing the digital divide — is too important for this nomination to be delayed any further," Markey said. "Gigi Sohn is President Biden's nominee, and Congress should confirm her as soon as possible. As a member of the Commerce, Science and Transportation Committee and a longtime advocate for advancing telecommunications equity and access, I will continue to fight back against baseless attacks and push for swift confirmation."

Markey is primarily addressing fellow Democrats since they control the gavel in committees and have the votes to discharge the nomination from the committee and approve her to the commission if they are all on board.

Republicans have called for holding a new nomination hearing, although Sohn has already had two. ■

Here's How the Infrastructure Investment and Jobs Act Will Make it Easier to Shop for Broadband Service

Submitted on January 3, 2023



BENTON
INSTITUTE
for BROADBAND
& SOCIETY

Tuesday, January 3, 2022

Digital Beat

Here's How the Infrastructure Investment and Jobs Act Will Make it Easier to Shop for Broadband Service

The Infrastructure Investment and Jobs Act required the FCC to create consumer-friendly broadband labels.

On November 14, 2022, the Federal Communications Commission adopted new rules requiring broadband internet service providers to display, in the form of labels, information regarding their service plans. The goal is to provide information that empowers consumers to choose services that best meet their needs and match their budgets and ensures that they are not surprised by unexpected charges or service quality that falls short of their expectations.

Here we look at the FCC's new requirements and next steps in improving consumer access to clear, easy-to-understand, and accurate information that is central to a well-functioning marketplace and encourages competition, innovation, low prices, and high-quality services. (Once final regulatory steps are completed, these rules will likely become effective by the end of 2023.)

Overview of the Rules

The FCC's new rules will require broadband internet service providers to display, at the point of sale, a broadband consumer label containing critical information about the provider's service offerings. This includes information about pricing, introductory rates, data allowances, performance metrics, and whether the provider participates in the Affordable Connectivity Program (which provides a discount of up to \$30 per month toward internet service for eligible low-income households and up to \$75 per month for low-income households on qualifying Tribal lands). The rules require that providers display the label for each stand-alone broadband internet access service they currently offer to new customers for purchase, and that the label link to other important information such as network management practices, privacy policies, and other educational materials. The requirements for the label's format and display location are to ensure consumers can make side-by-side comparisons of various service offerings from an individual provider or from alternative providers—something essential for making informed decisions. Labels must be accessible for people with disabilities and for non-English speakers. And the FCC is enabling third parties to easily analyze information and help consumers with their purchase decisions by requiring providers to make the label content available in a machine-readable format.

The FCC defines broadband internet access service as a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service.

Where Consumers Will Find Broadband Labels

All broadband Internet access service providers will display broadband consumer labels at the “point of sale.” This means at the moment a consumer begins to investigate and compare broadband service plans available to them at their location—and both on providers' websites and any other channels through which their service is sold, including retail locations and over the phone.

Providers must display the actual label—not simply an icon or a link to the label—in close proximity to the associated plan advertisement.

Providers that use alternate sales channels—like retail locations or over the phone—must make the label available to consumers at each point of sale. Although providers are not necessarily required to provide a hard copy of the label in all instances, if the provider cannot ensure the consumer will be able to access the label either with an Internet connection at home or in the retail location, it must make the label available in hard copy.

After purchasing broadband service, consumers should be able to easily access and review the terms of their existing plans to ensure they are receiving the services and price they agreed to at the time of purchase. Broadband providers will offer online account portals to their customers to make each customer's label easily accessible to the customer in such portals.

Broadband providers are not required to create labels for consumers who are on old service plans that are not offered to new customers anymore.

Identifying Plans

All broadband Internet access service providers—either fixed or mobile—are required to display the same label format. Providers must identify the name of the service plan at the top of the label. Each plan must also have a unique identifier, a letter-number combination identifying whether it is fixed or mobile, the provider's FCC Registration Number, and a provider-chosen string of precisely 15 alphanumeric characters uniquely identifying the specific plan within the broadband provider's offerings.

Pricing

A provider must display on the label, at a minimum, the base monthly price for the stand-alone broadband service offering. If a provider displays an introductory rate on the label, it must also display the rate that applies following the introductory period and clearly disclose either the length of the introductory period or the date on which the introductory period will end. Providers must display only the "retail" monthly broadband price, meaning the price a provider offers broadband to consumers before applying any discounts such as those for paperless billing, automatic payment (autopay), or any other discounts. Providers that offer a discount for consumers who commit to a contract term must display the length of that term on the label.

Consumers must be made aware of whether the price identified on the label requires the consumer to commit to service for a specified period of time and that if the consumer decides to switch to another provider or terminate service altogether, they may be subject to an early termination fee. The provider must also disclose any applicable early termination fees if the consumer cancels the service before the end of the contract.

The label must display recurring monthly charges the provider imposes on top of the base price, along with any one-time fees the consumer must pay at the time of purchase. Providers must list all recurring monthly fees. These fees include all charges that providers impose at their discretion (i.e., charges not mandated by the government). Providers must give each fee a simple, accurate, easy-to-understand name, thus enabling consumers to understand which charges are part of the provider's rate structure, and which derive from government assessments or programs. Providers must list fees such as monthly charges associated with regulatory programs and fees for the rental or leasing of a modem and other network connection equipment. The label must include the name and cost of each one-time fee assessed by the provider when the consumer signs up for service. This section will identify one-time fees such as a charge for purchasing a modem, gateway, or router; an activation fee; a deposit; an installation fee; or a charge for late payment. The provider must also identify any one-time fees the provider will impose if the customer cancels their broadband service before the end of a contract term (e.g., an early termination fee) and provide a link to a full explanation of when such a fee is triggered. Finally, providers must disclose any charges or reductions in service for any data used in excess of the amount included in the plan. They must also identify the increment of additional data, e.g., "each additional 50GB," if applicable, and disclose any additional charges once the consumer exceeds the monthly data allowance.

Providers are also required to list taxes that will apply and that they may vary depending on location.

Speed and Latency

Labels will disclose providers' typical upload and download speeds and typical latency. Fixed broadband service providers that choose to participate in the FCC's Measuring Broadband America (MBA) program(1) may disclose their results as a sufficient representation of the actual performance their customers can expect to experience for the relevant speed tier. Fixed broadband service providers that do not participate may use the methodology from the MBA program to measure actual performance, or may disclose actual performance based on internal testing, consumer speed test data, or other data regarding network performance, including reliable, relevant data from third-party sources. Mobile broadband service providers that have access to reliable information on network performance may disclose the results of their own or third-party testing. Those mobile broadband service providers that do not have reasonable access to such network performance data may disclose a Typical Speed Range (TSR) representing the range of speeds and latency that most of their consumers can expect, for each technology and service tier offered.

Link to Network Management Practices

Providers must include in the label a link to their network management practices like blocking, throttling, and paid prioritization. Separate FCC rules require all broadband providers to publicly disclose accurate information regarding their network management

practices. A network management practice is reasonable if it is appropriate and tailored to achieving a legitimate network management purpose, taking into account the particular network architecture and technology of the broadband internet access service.

Link to Affordable Connectivity Program Information

All providers must include a link in their labels to information about the ACP and qualification requirements, and indicate whether the provider is participating in the ACP. The label must say: "The Affordable Connectivity Program (ACP) is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit www.affordableconnectivity.gov."

Link to Privacy Policy

A provider must include a link in the label to its privacy policy on its website. And the FCC emphasizes that providers must continue to comply with the FCC's current directives regarding privacy policy disclosures. For example, whether network management practices entail inspection of network traffic, and whether traffic information is stored, provided to third parties, or used by the carrier for non-network management purposes.

Format

Broadband Facts	
Provider Name	
Service Plan Name and/or Speed Tier	
Fixed or Mobile Broadband Consumer Disclosure	
Monthly Price	[\$]
This Monthly Price [is/is not] an introductory rate. [If introductory rate is applicable, identify length of introductory period and the rate that will apply after introductory period concludes]	
This Monthly Price [does not] require[s] a [x year/x month] contract. [only required if applicable; if so, provide link to terms of contract]	
Additional Charges & Terms	
Provider Monthly Fees [Itemize each fee]	[\$]
One-time Fees at the Time of Purchase [Itemize each fee]	[\$]
Early Termination Fee	[\$]
Government Taxes	Varies by Location
Discounts & Bundles	
Click Here for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment like modems and routers. [Any links to such discounts and pricing options on the provider's website must be provided in this section.]	
Affordable Connectivity Program (ACP)	
The ACP is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit affordableconnectivity.gov .	
Participates in the ACP	[Yes/No]
Speeds Provided with Plan	
Typical Download Speed	[] Mbps
Typical Upload Speed	[] Mbps
Typical Latency	[] Ms
Data Included with Monthly Price	[] GB
Charges for Additional Data Usage	[\$/GB]
Network Management	Read our Policy
Privacy	Read our Policy
Customer Support	
Contact Us: example.com/support / (555) 555-5555	
Learn more about the terms used on this label by visiting the Federal Communications Commission's Consumer Resource Center.	
fcc.gov/consumer	
[Unique Plan Identifier Ex. F0005937974123ABC456EMC789]	

The format for the broadband consumer label resembles the well-known food nutrition label. ([Click to enlarge image.](#))

In addition, providers must make the information included in the label available to the public in a machine-readable format, meaning "data in a format that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost." Providers will make each label's information available by providing the information separately in a spreadsheet file format such as .csv. These files will be made available on a provider's website via a dedicated URL that contains all of a provider's given labels. Providers will publicize the URL with the label data in transparency disclosures. The FCC believes machine readability will: 1) promote both competition as well as transparency and accountability, 2) allow the FCC to more easily

collect data about broadband markets, and 3) make data more easily available for research as well.

Accessibility for People with Disabilities

Broadband consumer labels must be accessible to people with disabilities at all points of sale. The FCC strongly encourages broadband providers to comply with the well-established legal requirements included in the Americans with Disabilities Act and the Web Content Accessibility Guidelines.

Display in Languages Other Than English

All providers must display online and printed labels in English. But the FCC requires providers to make labels available in any other languages in which the provider markets its services in the United States. The FCC encourages providers to review their translations for context and vernacular language by native-level speakers who work directly with community members to ensure the language is not only accurate, but also easily accessible and understandable to target audiences.

When Will Consumers See the New Labels?

For most providers, the consumer broadband label requirements will kick in six months after the Office of Management and Budget reviews, approves, and gives notice of that approval of the new rules. Providers with 100,000 or fewer customers will have an extra six months to comply with the rules.

Next Steps at the FCC

As part of the new order creating the consumer broadband label rules, the full FCC also tasked its Consumer and Governmental Affairs Bureau (CGB) with doing additional work. In the coming weeks, the CGB will:

- Post (an update when necessary) the FCC website a page with a glossary of terms used on the consumer broadband labels.
- Make available on the website resources to guide the creation of a uniform label, including templates and other examples. The initial website should be available no later than thirty days before the label display requirement becomes effective so that providers can include the appropriate FCC link in their labels and use the templates if desired.
- Provide resources that may help providers satisfy the machine-readability requirement, such as sample machine-readable spreadsheet files.

FCC Seeks Additional Input

The FCC received a number of suggestions about the consumer broadband labels; some suggestions were not adopted, but the FCC seeks additional input about them now. These suggestions have to do with accessibility and languages, performance characteristics, service reliability, cybersecurity, network management and privacy, formatting, and whether ISPs should submit label information to the FCC.

Comments in this proceeding are due January 17, 2023

Accessibility

Several commenters suggested additional ways to improve the accessibility of the broadband label. The FCC is requiring broadband providers to post information on their websites in an accessible format, and strongly encourages them to use the most current version of the Web Content Accessibility Guidelines (WCAG). Should the FCC be more specific? Commenters should cite the specific WCAG sections they propose the FCC adopt.

Languages

Should broadband providers be required to make labels available in languages other than those in which they market their services, such as Spanish, Simplified Chinese, Traditional Chinese, Korean, Vietnamese, and Tagalog?

Price Information and Bundles

The FCC's new rules do not require providers to display some information that affects the bottom line price consumers pay each month, such as discounts for paperless billing and for bundling broadband with other services. In future versions of the label, should the FCC require providers to display these discounts and other variables (such as location-specific taxes)? Would a label requirement for bundled services, with a single price for the entire bundle, help consumers?

Speed

The FCC recognizes that the speed a customer will experience can vary depending on the consumer's equipment, how many devices are operating in the household, network congestion, network usage of nearby customers, and the distance to a cell site (for wireless broadband). Are there more appropriate ways to measure speed and latency other than "typical" for purposes of the label disclosure such as average or peak speed and latency. Should the FCC require providers to add another speed metric to the label in addition to typical speed? Commenters should discuss alternative methodologies that would be useful for consumers.

Reliability

The record in this proceeding demonstrates support for providing service reliability information to consumers. To what extent would adding a reliability measure to the label improve the availability of that information to consumers? How should reliability be represented on a broadband label? Would a metric such as "Network availability = XX.XX% (Y minutes unavailable per month)" be appropriate?

Cybersecurity

Consumers may find it relevant when comparison shopping whether the broadband service that they are considering is reasonably secure. Should providers be required to disclose at the point of sale information about their cybersecurity practices? Should broadband labels warn consumers if a provider has left certain cyber risks unmitigated by reasonable security measures?

Network Management

Is a link to a provider's network management practices sufficient or should the label include more specific disclosures about whether the provider engages in blocking, throttling, and paid prioritization? Should network management practices, either in the label or linked, be written in a way that is clear and understandable for non-technical audiences?

Privacy

In the proceeding, several commenters discussed issues related to privacy, such as whether a broadband provider discloses consumer data to third parties and whether providers collect and retain data about consumers (e.g., the websites the consumer visits). These commenters urge the FCC to add certain privacy elements to the new label, such as disclosures about user data collection, retention, and tracking. Other commenters argue that, due to the limitations on the amount of information that may be included in a concise label, expansive privacy disclosures on a label are impractical. The FCC seeks comment on whether it should continue to include a link to the service provider's current privacy policy in the label instead of including any detailed privacy information in the label itself. Commenters should discuss whether the FCC should require providers to affirmatively state, in addition to providing their privacy policy, whether the provider collects or uses consumer data for reasons other than providing broadband service, and if this is shared with third parties.

Interactive Labels and Drop-Down Menus

The FCC seeks comment on whether it should require providers to provide additional information in an interactive label. Could consumers find an interactive label helpful? For example, customers could be able to input their household internet activity and see additional information that would estimate their internet experience under each plan. An interactive label could also include an "expand" option that would provide more detailed information on specific categories of information, such as pricing.

Submitting Labels to the FCC

Several commenters proposed that the FCC give providers the option of submitting labels directly to the FCC/ The FCC seeks comment on whether it should allow providers to do so and whether the FCC should maintain a database of labels and post them on the FCC's website. Alternatively, should the FCC allow providers to seek a hardship waiver from the requirement to display labels on their websites, and only if such waiver is granted, permit them to submit their labels to the FCC?

Timeline

The FCC seeks input on all these issues. The deadline to file comments is Tuesday, January 17, 2023. Reply comments are due on or before February 14, 2023. For further information, contact Erica H. McMahon, Consumer Policy Division, Consumer and Governmental Affairs Bureau, at (202) 418-0346 (voice) or e-mail at Erica.McMahon@fcc.gov.

Important information regarding your Xfinity services and pricing

Effective January 1, 2023

FINITY TV	Current	New
Broadcast TV Fee	\$19.20	\$21.95
Voice TV Select	\$32.50	\$37.50
Voice TV Select - with TV Box (Flex upgrade)	\$40.00	\$46.50

Day-Per-View and On Demand Subscription Services	Current	New
Turn TV On Demand	\$5.99	\$6.99

finity Internet	Current	New
Connect	\$60.00	\$61.00
Connect More	\$70.00	\$73.00
Fast	\$80.00	\$83.00
Superfast	\$90.00	\$93.00
Gigabit	\$100.00	\$103.00
Gigabit Extra	\$110.00	\$113.00
Internet/Voice Equipment Rental	\$14.00	\$15.00

finity Discounts	Current	New
Autopay and Paperless Billing Discount (Credit or Debit Card) - Effective 10/25/2022	\$10.00	\$5.00

finity Equipment	Current	New
TV Box (Includes Remote)	\$7.50	\$9.00
Adapter for Primary TV (Includes Remote)	\$7.50	\$9.00

Installation	Current	New
Professional Installation	\$99.99	\$100.00

Miscellaneous	Current	New
Regional Sports Fee	\$11.50	\$12.30

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