

**From Thursday's Sun**

# **O'Malley says Comcast agreement was the best deal for the city**

## **City Council to discuss offer at meeting Monday**

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Mayor Martin O'Malley said Wednesday that the city's pending 12-year franchise agreement with Comcast was the best deal the city could have negotiated, despite his own cable advisory panel's objections to the contract revealed this week.

O'Malley said he sought to answer his Cable Communications Advisory Commission's objections by adding amendments to the deal when the Board of Estimates approved the franchise last week. The amendments increase funding available for public access and create a board to oversee such an operation.

Commission president Jonathan L. Shorr said the commission still was not satisfied with the administration's commitment to public access and countered O'Malley's assertion Wednesday that there is little community interest in such programs. Shorr said the city should have demanded a dedicated and adequate annual source of money for public access rather than agreeing to let Comcast pass the cost onto subscribers.

"It's up to the city to make community access happen," said Shorr, who is also co-director of the University of Baltimore's school of communications design. "Comcast doesn't care one way or the other."

Comcast officials could not be reached Wednesday for comment. Cable company officials have said repeatedly that the deal is fair to the city because the company is giving more than the 5 percent required by law.

Shorr conceded that given federal regulations the city "may have gotten the best deal it could get."

"The lawyers certainly said that, and I tend to believe them," he said.

City Council members, who will vote Thursday to move the franchise talks onto their Monday meeting agenda, were still upset Wednesday that they never received the commission's objections, which were supposed to be delivered to them during an Oct. 13 public hearing. Shorr spelled out seven objections to the franchise agreement in a three-page letter dated Oct. 13 addressed to O'Malley and the council.

"We definitely should have gotten it," Councilwoman Helen L. Holton said. "I'm not a definite supporter of the bill, but I think it has improved from where it was."

The franchise, which would begin Jan. 1, requires Comcast to pay the city 5 percent of the gross revenue generated from its nearly 120,000 city subscribers. The annual fee would generate about \$4.3 million for the city's general fund.

Under the terms of the pending contract, Comcast agreed to charge each subscriber a \$6 annual fee that would generate more than \$700,000 a year for the capital costs of public access programming on cable Channel 5 and for shows produced by city government on cable Channel 21 and city schools on cable Channel 7.

Comcast would provide \$570,000 over the next 12 years to provide public access training, plus \$430,000 over the next six years toward a summer youth employment program that could be steered to public access programming.

The commission and Baltimore Grassroots Media, a public access advocacy group, believe the contract gives the city too much latitude to spend those grants somewhere else. The current contract, which ends next month, provided only \$1 million for public access over the past 20 years, money that ran out years ago.

The advocates also said the city should not have agreed to surrender four of the existing 12 channels reserved for cable access programming by government, community and educational groups.

They argue that there is little demonstrated interest in cable access because there is no infrastructure for such programming, unlike the city's Channel 21, which has a set budget and staff that produces dozens of high quality, digital video shows touting government policies.

O'Malley said public access was not a critical need being demanded by city neighborhoods and that Baltimore Grassroots Media was made up of people who do not have cable or live in the city.

"They have to ask if public access is more important than police" and other public safety functions of the city, O'Malley said. "Public access has been totally eclipsed by the Internet. We have to keep that in mind."

Shorr said the city's consultant provided a detailed report on dozens of religious, educational, and community organizations that were interested in gaining access to programming on the local cable channels.

"I know how much interest there is in the nonprofit organizations," Shorr said.

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