

# Cable Views

Ohio Cable Telecommunications Association

Issue 2 2018

## MCTV Expands Service Area

MCTV, a leading Internet, TV and Phone provider in Stark, Wayne, Summit, Holmes and Tuscarawas counties, announced the expansion of services to three new communities in Ohio, including Salineville, Amsterdam and Bergholz.

MCTV currently offers residential and business services to approximately 50,000 homes and businesses. This expansion comes from the recent acquisition of two systems previously run by cable TV provider, Crystal Broadband.

"We saw the opportunity to grow our footprint by improving and expanding the services available for residents in Amsterdam, Salineville and Bergholz," stated Bob Gessner, president of MCTV. "MCTV goes the extra smile for each of our customers and we plan to do so for our new neighbors by investing in the infrastructure to bring reliable, high-speed Internet and high-quality cable TV services with Excellerate, MCTV's advanced broadband fiber-to-the-home network." Excellerate is one of the most technologically advanced

INTERNET / TV / PHONE



systems in the area. Construction of the physical Excellerate network is underway and anticipated to be complete within the next 12 months. Customer installations may take longer, depending on demand. The technology will deliver a fiber optic connection directly from MCTV and will generate symmetrical download and upload speeds. The planning and initial steps to build Excellerate to these three new communities has already started.

## OCTA Golf Outing Low Gross Team



*Congratulations to the 2018 OCTA Golf Outing Low Gross Winning Foursome of Myron Niemi, Ed Niemi of MAVTV Motorsports Network, Brad Mefferd of Buckeye Broadband and Russell Cooper of INSP.*

## Telecom Issues A Focus of Ohio Legislature

The Ohio General Assembly is now on summer recess, but not before debating a number of telecommunications-related issues during the spring and early summer.

In addition to ongoing discussions regarding broadband, lawmakers have been working on a number of issues of interest to Ohio's cable industry, including further deregulating incumbent local exchange carriers, cybersecurity and telephone "spoofing" legislation.

For the latest on legislative and regulatory activity in Columbus, please see Page 4.

# Face to Face

## with Sen. Matt Huffman

Senator Matt Huffman is currently serving his first term in the Ohio Senate, representing the 12th Senate district which includes all of Allen, Champaign, Mercer and Shelby counties, as well as portions of Auglaize, Darke and Logan counties. He previously served four terms in the Ohio House of Representatives, the last two in leadership positions, including being elected by his fellow legislators to serve as the second highest-ranking member, Speaker Pro Tempore.

He began his public service on Lima City Council in 1992, serving until 2006, including the final seven years as City Council President. In 2007, he began his service in the Ohio House of Representatives. Huffman graduated from Lima Central Catholic High School in 1978. He then went on to earn his degree in Government from the University of Notre Dame in 1982 and his law degree from the University of Cincinnati School of Law in 1985. Married for 30 years, Huffman and his wife Sheryl have made their home in Lima, where they have raised four children.

### Fast Facts:

Team colors:

Scarlett & Turquoise – the Thunderbirds of Lima Central Catholic High School.

Advice you would give to someone wishing to run for public office or become active in public service:

"I would tell them, don't do it for the money. It's kind of like what you tell people who want to be a professional musician. If you're doing it for other reasons than you just like to play music, don't do it. If you aren't doing it because you think you can help out, then there is no reason to do it."

Best advice you received when you first ran for office?

"Don't take yourself too seriously, but make sure you take everyone else seriously, especially constituents and what they are talking about, which is basically the same advice you give as an attorney. No matter what the objective significance of the client's issues are, they are all important to the client. And, it's the same thing with a constituent."



**Jonathon McGee:** Public service takes on many forms, including being a community volunteer and serving in elective office. Growing up, were your parents active in serving the community?

**Sen. Matt Huffman:** My dad was prosecuting attorney in Allen County from 1968-1976 and so we were pretty involved in politics and carrying sandwich signs through the town square and doing all of that. I have eight brothers and sisters and for my mom, that was her service, I think. So, my dad was always involved in Kiwanis and before all the kids were born, he was a youth ambassador to Yugoslavia for a month and he was in the United States Marine Corps and an ambassador to Korea as a foot soldier.

**JM:** You served for 15 years on Lima City Council prior to running for the Ohio House in 2006. What prompted you to run for city council?

**MH:** In a general way, those are always the kinds of things I was doing. In school, I was on the student government, you volunteer and you try to help get things done and that was true when I was at Notre Dame in college and in law school. Literally, what prompted me was three guys came to my office and said "we want you to run for city council." When you are a 31-year-old attorney with three kids, you are interested in providing for your wife and family, but the nice thing about city council was it wasn't a full-time job

and you could be involved in an elected office but still have the rest of your life to enjoy.

**JM:** You've practice law for more than 30 years with your father and brothers in the Lima firm of Huffman, Kelley, Brock & Gottschalk. How did your family become involved with the law?

**MH:** My grandfather, Lawrence Huffman, and his brothers and family, were firemen in Springfield, Ohio. The first Huffman who was a Hessian soldier, on the other side, during the Revolutionary War, stayed when the rest of the Hessians went back to Germany. A bunch of Huffmans moved to western Pennsylvania and ultimately to Springfield. Most of the Huffmans in southern Ohio and southern Indiana, I'm related to. There's Huffman Prairie and Huffman Dam in Dayton. My grandfather, the fireman, was injured fighting a fire. They had to move to Tucson, AZ., because that's what you did back in those days. My dad was born in 1930 in Tucson. He's one of five, he's the second oldest of five. So essentially, after that, my grandfather was disabled and he couldn't be a fireman so he had to settle for being a lawyer and got a job in Huntington, Ind., and was actually the city attorney in Huntington. He ran as a Democrat and lost and then was appointed to another similar job. He died in 1938. After my dad graduated from Chaminade High School in Dayton in 1947, he played some minor league baseball, went to Korea – paid for by the government – came back

*Continued on page 3*

and went to law school. On a side note, his younger brother, my Uncle Bob, the father of Rep. Steve Huffman, was the prosecuting attorney in Miami County from 1968 to 1976, at the same time my dad was county prosecutor in Allen County. As far as we know, they are the only two brothers who were prosecutors at the same time in different counties. So, we have 3 lawyers in our family and then in Steve's family, his two brothers, Bob and Sam, are lawyers and Kate, their sister, is the judge in the Montgomery County Common Pleas Bench. And, Steve, the black sheep of the family, he's a medical doctor.

**JM:** I'm curious. If you weren't involved in the legal profession or public service what would you enjoy doing for a living?

**MH:** If I got to do what I really want to do, I would probably be a high school football coach someplace. I coached football, basketball, baseball, wrestling, golf and soccer when my kids were growing up. That's what I like. The best people to hang around with are little kids because they are a laugh a minute, some of the things that they say. So, I've had a lot of fun with my kids just taking them places and doing things. I think that is something that I would enjoy doing.

**JM:** Tell us about Sheryl and how the two of you met.

**MH:** I actually transferred to Notre Dame. I went my freshman year to St. Louis University and then transferred to Notre Dame. So, I was a sophomore and she was a freshman. We literally met the first week that we were there at a freshman mixer. Even though I was a sophomore, we showed up anyway, me and another transfer student, we didn't know any better. So, we met the first week that we were there and I think we went out on a date probably within a couple weeks and were college sweethearts.

**JM:** Are you empty-nesters now? What do you two enjoy doing in your spare time?

**MH:** One thing that Sheryl and I love to do is play golf and she's gotten really good. I'm not a good golfer, but I'm good enough that I can pretty much play anywhere and play with anybody. I'm not on the PGA tour, but I'm an 11 index right now.

**JM:** In the legislature, you've been involved in many high profile issues. What is your approach or general philosophy when it comes to working on a major, complex issue?

**MH:** I think the first thing, if you are going to try to resolve a complex issue that a lot of people are interested in, is to remove the anger that inevitably builds up. If you get mad – first of all don't get mad – but if you do get mad, don't stay mad because that's not going to help you accomplish anything. I think, by and large, attorneys are better at that because they practice not getting mad and getting over something. When you practice law everyday with the same 50 or 100 players, the guy who is your enemy today is going

to be your friend tomorrow. So, the first thing you have to do is avoid getting angry and the other people who are angry will relax. The second thing is that there are people who are a part of the discussion whose job is to make sure that it is not resolved or doesn't get accomplished, for a variety of reasons - they like the status quo, wherever it's heading could be bad. So, essentially you need to make sure that those people aren't controlling the discussion. The next thing that needs to happen is that you are now talking to the people who have an interest in it, who aren't mad and who actually want to resolve things. So, you really have to decide what are the things that you agree on because in all of these complex issues, there are things that people agree on. Again, the people that don't want to address the issue, they know that they agree on something but they aren't going to admit it because that helps get to the solution. That's why you can't have those people controlling the discussion.

I have this 80 percent rule, which is, 80 percent of the time, 80 percent of the people agree on 80 percent of the issues. That's a pretty good percentage. And, if you multiply that out all the way, it comes up to 51 percent, which means that most of the time, or at least more than 50 percent of the time, you should be able to get even complex issues resolved. But, to do that, you also have to have the decision makers in the room, the reasonable people who want to get something done. Typically, there needs to be three things. First, a compelling event, when you are trying lawsuits, it's the trial, in which the jury is going to decide tomorrow if we don't agree today. We have to vote this out by Feb. 7 or it doesn't go out on the ballot in May. We are done at the end of June if we don't come up with a resolution. This General Assembly, lame duck ends tomorrow if we don't come up with a decision. That kind of compelling event means that if we are going to make a decision it is now and usually with tough issues, people don't make a decision until they have to. The other two elements are, there has to be uncertainty and risk, and the risk is, I have something now or I could do this and have this or I could lose this if something else happens. In a ballot initiative, there might be, the General Assembly changes and I have a worse cast of legislators to deal with the next time. That's the risk part. The uncertainty is that I don't know what's going to happen in the future. Is that going to get on the ballot? Is it going to pass? All of those things have to come together in order to get stuff resolved like redistricting reform and internet cafes and severance tax and other stuff that I work on.

**JM:** Any advice for the Cable Industry?

**MH:** I try not to give advice to the people who know more about their industry than I do. Legislators are generalists because I have to know as much as I can about the cable industry, and the severance tax and the medical malpractice statute of limitations and vouchers in education policy and all of that, so, I don't think I have any advice for all the people who are smarter than me. I learned a long time ago, don't comment on things you don't know much about.

# Capital Update

## Legislative Update

**AT&T/OTA Deregulation Legislation:** New legislation further deregulating incumbent local exchange carriers (ILECs) was introduced by Rep. Brian Hill, R-Zanesville, as House Bill 402. This legislation would make changes to Basic Local Exchange Service (BLES) and lifeline regulation.

The OCTA was opposed to this legislation as introduced but worked on the legislation with the Ohio Telecom Association (OTA) and the bill's sponsor, as well as Committee Chairman Bob Cupp, R-Lima, to make changes to the bill to resolve our concerns. Language was added to the bill to address our issues.

The House passed HB 402 on June 20, 60-33. The vote was largely along party lines. It is now pending in the Senate where it has yet to be assigned to a committee. It is expected that this legislation will see action in the Senate after the November election.

**Broadband Expansion Legislation:** House Bill 281, sponsored by Rep. Rick Carfagna, R-Genoa Township, which would create the Residential Broadband Expansion Program (RBEP) to be administered by the Ohio Development Service Agency (DSA), was passed by the House on Jan. 31. The Senate referred the bill to its Finance Committee, and on June 19 the bill had its first hearing. Co-sponsors Rep. Ryan Smith, R-Bidwell, and Rep. Jack Cera, D-Bellaire, also continue work on House Bill 378, which was voted out of the House on April 11. The bill was referred to Finance Committee in the Senate which has had no hearings on the measure.

Senate Bill 225 (the Senate version of HB 378, which is sponsored by Sens. Joe Schiavoni and John Eklund) had a second hearing for proponent testimony in the Senate Finance Committee on June 5. Over 20 proponents either testified or submitted written testimony in support of the bill. At that hearing, the committee substituted the House-passed version of HB 378 into SB 225, so that now both bills are identical.

**Small Cell:** The small cell bill will become effective on Aug. 1, 2018. We have seen several local governments filing notices at the PUCO that they intend to modify their current ROW ordinances to comply with the new law. You may track these filings on the weekly OCTA PUCO report. If one of your local communities has filed such, it is suggested that you reach out to them. The bill is now awaiting action by the governor. We wish to thank the bill's sponsors, Reps. Ryan Smith and Sarah LaTourette, for their assistance and leadership on this issue.

**Disaster Relief:** Rep. Scott Ryan, R-Newark, introduced House Bill 133, which would exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. The OCTA Board authorized the OCTA to support this legislation. The bill has now been passed by both chambers and was signed into law by Governor John Kasich. We wish to thank Rep. Scott Ryan for his efforts on this important issue.

**CyberSecurity:** Senate Bill 220, sponsored by GOP Sens. Bob Hackett and Kevin Bacon, would provide a legal safe harbor to covered entities that implement a specified cybersecurity program. This bill passed the Senate on May 16 along party lines. OCTA staff worked with OCTA members that are part of the State Privacy and Security Coalition (SPSC) in reviewing the legislation. The House immediately took up consideration of this legislation and passed it along mostly party lines on June 27. It is now headed for the governor's desk.

**Spoofing:** Companion pieces of legislation were introduced in each chamber to create the offenses of theft or conversion of a telephone number or exchange and providing misleading caller identification information. House Bill 597 was introduced by GOP Reps. Keith Faber and Jonathan Dever, while Senate Bill 290 was introduced by Sen. Dave Burke, R-Marysville. The OCTA has identified a few areas of concern and association staff are discussing our concerns with appropriate House and Senate members. It is possible this bill may move in the fall.

## PUCO Update

**FirstEnergy Pole Rates:** On May 1, the three FirstEnergy (FE) utilities filed applications seeking to increase pole attachment rates. These applications are subject to the PUCO automatic approval process – approval will automatically occur on the 61st day (July 1, 2018) unless suspended. On May 22, the OCTA filed motions to intervene; objections; and first sets of discovery. FE did not respond to our filing within the time frames set forth in the PUCO process but did file a response several days late. We have filed a motion to strike the FE pleadings. FE has provided responses to our discovery, which is being reviewed. However, the PUCO did not suspend the new rates, so they become effective on July 1. The OCTA and legal counsel are reviewing the PUCO's decision as to whether to seek reconsideration of the ruling.

**PUCO Tax Investigation Docket (Case No. 18-47-AU-COI):** The PUCO, in relation to the Tax Cuts and Jobs Act (TCJA), had earlier ordered all Ohio utilities to create a deferred tax liability and more recently decided to hold a hearing on July 10 in this docket; the only question for the hearing is whether the utilities should be required to establish a deferred tax liability, effective January 1, 2018. The electric utilities were directed to file their testimony first. On June 15, AEP and Duke each filed testimony. DP&L and the FirstEnergy utilities opted to not file any testimony. FirstEnergy also stated that it will not participate at the hearing. On June 22, all other Ohio utilities were to file their testimony, but none did.

The OCTA has intervened in this case and has filed expert testimony. The OCTA participated in the July 10 hearing and now awaits a decision.

**Ohio Power (AEP) Tax Docket:** Ohio Power Company (AEP) recently opened its own case (Case No. 18-1007-EL-UNC) to address all other tax-related issues from the TCJA beside the one hearing issue in the Investigation docket (above). AEP asked for an expedited schedule and the Examiner recently complied with the request establishing an intervention deadline of June 22. The OCTA filed its motion to intervene on June 22. This appears to be the docket in which AEP's rates will be adjusted to recognize the TCJA.

# OCTA Golf Outing

Thank you to all of our sponsors who helped make this year's golf outing a success!

- Charter Communications
- Comcast
- COX Communications
- NBC Universal
- Buckeye Broadband
- Sheppard Mullin Richter & Hampton
- Byers Minton & Associates
- Capitol Impact Strategies
- Grant Street Consultants
- MCTV
- Precision Broadband Installations
- Strategic Impact Consulting
- GLW Broadband Inc.
- INSP
- MAVTV Motorsports Network
- The CJR Group Inc.
- The Batchelder Group
- Armstrong
- Carpenter, Lipps & Leland
- Davis Wright Tremaine LLP
- Ohio Council of Retail Merchants
- Ovation
- Thomas C. Mulisano CPA
- Vorys, Sater, Seymour & Pease
- Van Meter, Ashbrook & Associates
- beIN Sports
- Crown Media Networks
- FOX Networks
- Outdoor Sportsman Group
- Ovation
- REELZ



*Robert Gessner and Katherine Gessner Duplay of MCTV talk with Meredith Shea of NBC Universal.*



*Jim Purtee of Charter Communications made a hole in one during this year's OCTA golf outing.*



*Golfers from a variety of cable and media companies were on hand for the 2018 OCTA golf outing, held at The Lakes Golf & Country Club in Westerville.*

## Ohio Cable★PAC

*Ohio Cable Political Action Committee*

### Company Participation

(January 1 - June 28, 2018)

Company	Amount Raised	Goal
Armstrong Cable	\$0	\$2,496
Buckeye Broadband	\$1,089	\$10,972
Comcast	\$3,000	\$1,430
Cox Communications	\$1342	\$1,500
G.L.W. Broadband	\$500	\$400
MCTV	\$22,152	\$2,750
Suddenlink	\$0	\$1,400
<b>Total</b>	<b>\$28,083</b>	<b>\$20,948</b>

### Individual Contributions

(January 1 - June 28, 2018)

**Buckeye Broadband**

Brad Mefferd

**Cox Communications**

Robert Brill

**MCTV**

Richard Gessner

Susan Gessner

David Hoffer

**Precision Broadband Installation**

Chris Steininger



*Dave Celona and Stephen Nielson, who are part of the Ohio Cable Telecommunications Association's government affairs team, talk with GOP Reps. Sarah LaTourette and Scott Ryan during the OCTA's Legislative Reception and Technology Demonstration.*

## Cable Calendar

### **SCTE Buckeye State Chapter Golf Outing and Vendor Day**

www.scte.org  
 When: July 13, 2018  
 Where: Safari Golf Club  
 Powell, OH

### **CSG Midwestern Legislative Conference**

www.csgmidwest.org  
 When: July 15-18, 2018  
 Where: Winnipeg, Manitoba

### **NCSL Legislative Summit**

www.ncsl.org  
 When: July 30 – Aug. 2, 2018  
 Where: Los Angeles Convention Center  
 Los Angeles, CA

### **ALEC Annual Meeting**

www.alec.org  
 When: Aug. 8-10, 2018  
 Where: Hilton New Orleans Riverside  
 New Orleans, LA

### **WICT Leadership Conference**

www.wict.org  
 When: Oct. 15-16, 2018  
 Where: New York Marriott Marquis  
 New York, NY

### **32nd Annual NAMIC Conference**

www.namic.com  
 When: Oct. 16-17, 2018  
 Where: New York Marriott Marquis  
 New York, NY

### **CSG 2018 National Conference**

www.csgmidwest.org  
 When: Dec. 6-8, 2018  
 Where: Northern Kentucky/Greater  
 Cincinnati Area

[www.octa.org](http://www.octa.org)

172 E. State St., Suite 302  
 Columbus, OH 43215

**OHIOCABLE**   
 Telecommunications Association

FIRST CLASS  
 US POSTAGE  
**PAID**  
 COLUMBUS, OH  
 PERMIT NO. 8709