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February 25, 2021
Michael Bettencourt, Chair
Winchester Select Board
71 Mt. Vernon Street
Winchester, MA 01890

Dear Mr. Bettencourt:

In a time when the services offered by Massachusetts community media centers are needed more than ever, the funding that backs the services is steadily declining. Worse, this comes at a moment during a pandemic when we need these trusted and valued services the most. One legislative solution to these challenges is *An Act Relative to A Streaming Entertainment Operator's Use of Public Rights of Way* (HD 1440, SD 834).

Introduced in both the House and the Senate of the Massachusetts legislature in 2021, the idea behind the bill is simple – to collect an assessment from companies who make money selling digital entertainment while using public property. Cable companies have been paying up to 5% of their gross annual revenues for the use of these rights of way for decades, but streaming companies are not paying their fair share. The bill would place an assessment on the companies in the same 5% model as cable, with 20% of the proceeds staying with the state, 40% going to the general funds of municipalities, and 40% going to the community media centers that serve them. This bill would level the playing field for digital entertainment providers while securing a more well-defined financial future for community media in Massachusetts.

We at WinCAM would like to ask that you discuss this bill and create a resolution in support of the bill to send to state legislators. Luckily for us, Senator Lewis has been a driving force behind introducing the bill on the Senate side. We do believe Representative Day will sign on in the House, but a show of solidarity from the town would also be very helpful and much appreciated. Below is some sample language, for your convenience:

A RESOLUTION IN SUPPORT OF MASSACHUSETTS LEGISLATION RELATIVE TO A STREAMING ENTERTAINMENT OPERATOR'S USE OF PUBLIC RIGHTS OF WAY

WHEREAS, our community values the robust, local programming provided by our community media center, in particular during the COVID-19 pandemic; and

WHEREAS, changes in technology and the public's consumption of entertainment have necessitated the need for changes in law to keep pace with innovation; and

WHEREAS, digital streaming companies use public rights of way to sell their product across Massachusetts; and

WHEREAS, the COVID-19 pandemic has demonstrated clearly the importance of services and programming offered by community media centers,





NOW, THEREFORE, BE IT RESOLVED, that the town of Winchester encourages the Commonwealth of Massachusetts to pass *An Act Relative to A Streaming Entertainment Operator's Use of Public Rights of Way.*

Your commitment to support media at a local level is needed now more than ever. Without municipal aid legislation like this, both municipalities and community media centers will have some very difficult choices in near future. By resolving to support this bill, you support the public good.

We ask that you share the resolution with your State Representative and State Senator and urge them to support this bill. If you have any questions, please reach out. Your action is critical, and very much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "David Gauthier", is written over a horizontal line.

David Gauthier, Executive Director
Winchester Community Access & Media, Inc.

Cc: WinCAM Board of Directors

