

Office of Cable Television, Film, Music and Entertainment (“OCTFME”)
FY15-16 Performance Oversight Hearing Questions
Committee on Business, Consumer, and Regulatory Affairs
Vincent B. Orange, Sr. Chair
March 7, 2016

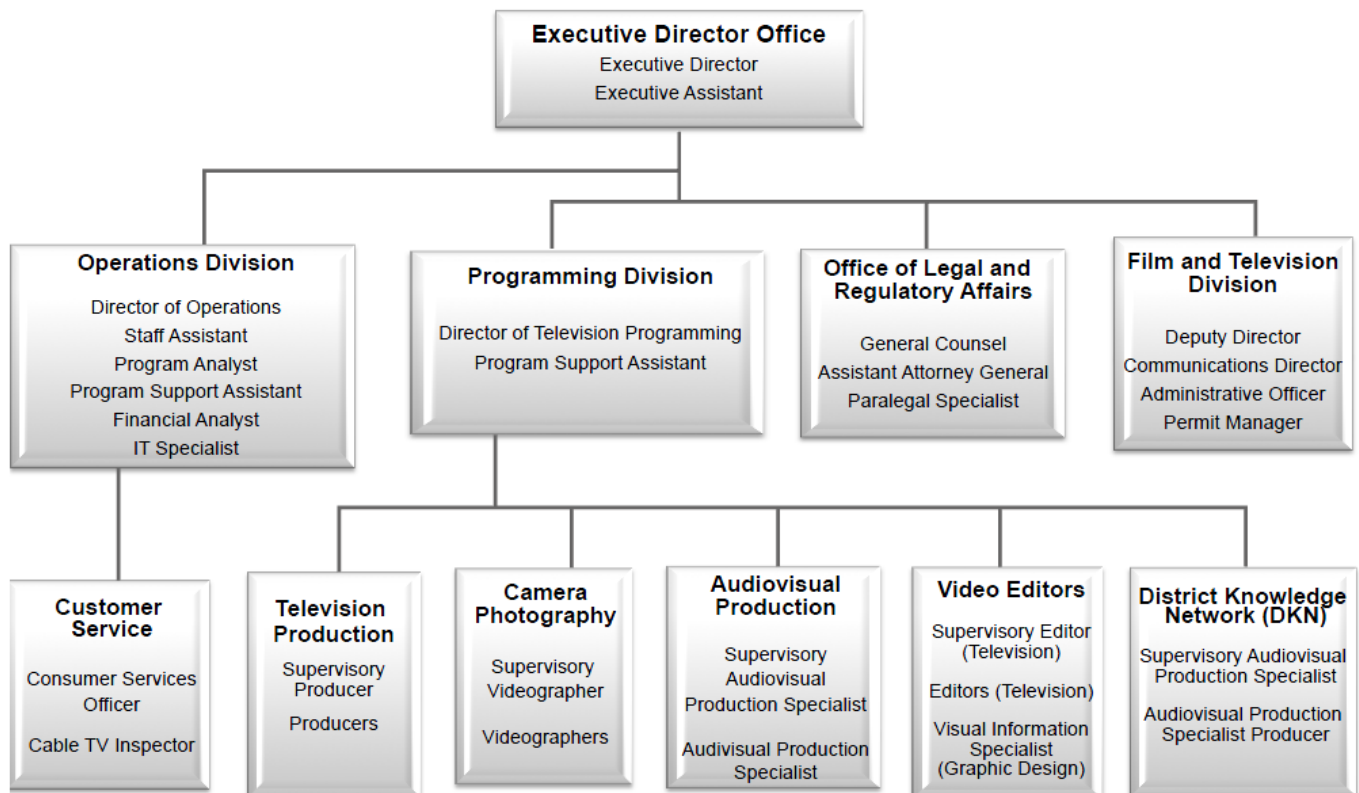
I. Agency Organization

1. Please outline the organizational changes to consolidate the Office of Cable Television and the Office of Motion Picture and Television Development since last year’s performance review? Please provide a complete, up-to-date organizational chart for each division within the new agency, including an explanation of the roles and responsibilities for each division and subdivision. This material can be either attached hereto or provided separately.

- **Please include a list of the employees (name and title) for each subdivision and the number of vacant positions.**
- **Please provide a narrative explanation of any organizational changes made during the previous year.**

RESPONSE:

Office of Cable Television, Film, Music and Entertainment



2. Please give an update concerning the agency’s relocation to the new facilities at BET, located at 1899 Ninth Street, NE. Include:

- **When the relocation was complete**
- **Any problems or concerns concerning the relocation**
- **What did the agency do with its old facilities at 3007 Tilden Street, NW**
- **Is there any remaining work to be done**

RESPONSE:

The relocation was completed in August of 2014.

There were no problems associated with the move from 3007 Tilden Street to 1899 9th Street.

The 3007 Tilden Street location was surrendered back to the building owners after a fully approved inspection by DGS and the building's management company.

There is no remaining work to be completed. The lease for the space ended on August 1, 2014.

II. Personnel

3. Please provide a complete, up-to-date position listing for your agency, which includes the following information:

- **Title of position**
- **Name of employee or statement that the position is vacant, unfunded, or proposed**
- **Date employee began in position**
- **Salary and fringe, including the specific grade, series, and step of position**
- **Job status (continuing/term/temporary/contract)**

RESPONSE:

See attached **APPENDIX A.**

4. Please provide the number of FY15 and FY16, to date, full-time equivalents (FTEs) for the agency, broken down by program and activity. Please also note the number of vacancies at the close of FY15 and FY16, to date, by program and activity, and current vacancy information.

- **For each vacant position, please note how long the position has been vacant and whether or not the position has since been filled.**
- **How many vacancies within the agency were posted during FY15 and FY16, to date?**

RESPONSE:

See attached **APPENDIX B.**

5. Please provide a description of any changes in the personnel process within the agency since FY 2015 and the agency's relationship with the DC Department of Human Resources to ensure that human resource needs are met.

RESPONSE:

OCTFME has not implemented any changes in personnel processes, but is working closely with the DC Department of Human Resources to retain a dedicated Human Resource Manager for the agency. This new position will enable OCTFME to better address the increased human resource needs resulting from the expansion in OCTFME's mission and operations, and will further ensure that OCTFME, through its strong working relationship with DCHR, adheres to the District's personnel policies and processes.

6. Has there been any change in the agency's employee performance evaluation process since last year? If so, please explain.

RESPONSE:

The employee evaluation process remains standard with DCHR policies and guidelines. However, management will encourage attending multiple professional and personal development trainings to augment job knowledge and increase overall job performance. This will enable each employee to increase their personal development and provide enhanced customer support for District residents. OCTFME will continue to conduct an assessment of current training and development structures based on its mission and employees' position related duties. Based on the assessment, OCTFME will work with DCHR and outside vendors to create more opportunities for specialized training related to the implementation of industry standard software, hardware and best practices.

7. Please list all employees detailed to or from your agency, if any. Please provide the reason for the detail, the detailed employee's date of detail, and the detailed employee's projected date of return.

RESPONSE:

During FY15 no employees were detailed to or from the Office of Cable Television (OCT).

During FY15 MPTD received two (2) FTE details. One from the Department of Consumer and Regulatory Affairs (DCRA) and one from the Office of Planning (OP).

Name: Kate Wessel

Position: Policy Director

Detailed From: DCRA

Start of Detail: 1/6/15

End of Detail: 9/30/15 (However, the detailed position was vacated in June of 2015)

Reason: MPTD requested and received a FTE to focus on the policy and legislative needs of the agency during the transition between administrations. The incoming Director of MPTD identified a need for the agency to have a dedicated staffer to assess policy and legislative needs and to make recommended updates to agency legislation and program rules at the direction of the Director. The detailed FTE lapsed (was returned to DCRA) at the end of FY15, but the staffer left government in June of 2015.

Name: Kimberly Driggins

Position: Creative Economy Manager

Detailed From: Office of Planning (OP)

Start of Detail: May 12, 2015

End of Detail: August 12, 2015

Reason: MPTD requested and received a FTE in support of OCTFME's work to assess opportunities to support the local creative economy. The detailed FTE worked with the MPTD director on Creative Economy research, an assessment of local "creative spaces" and generated the framework for a strategy for DC government agencies to work together on an integrated creative economy strategy.

8. Please provide the Committee with:

- **A list of all employees who receive cell phones, personal digital assistants, or similar communications devices at agency expense**
- **A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned.**
- **A list of employee bonuses granted in FY15 and FY16, to date, if any**
- **A list of travel expenses, destinations, and purpose of travel arranged by employee**
- **A list of the total overtime and workman's compensation payments paid in FY15 and FY16, to date**

RESPONSE:

Staff	Title	Wireless Device (iPhone)	Wireless Device (iPad)	Wireless Device (Jetpack or Aircard)
Angie M. Gates	Executive Director	iPhone 5s	iPad Mini	VZ Jetpack 4G MHS MIFI5510L
John Herbert Niles	Production Coordinator/Deputy Director	iPhone 5s		VZ Jetpack 4G MHS MIFI5510L
Lawrence Cooper	General Counsel	iPhone 5s		
Detra Dickens	Administrative Officer	iPhone 5s	iPad Mini	AT&T Beam Wireless Aircard
Michael Pharoh Martin	Public Affairs Specialist/Communications Director	iPhone 4s		VZ Jetpack 4G MHS MIFI5510L
Raynard Williams	Public Affairs Specialist	iPhone 5s		

OCTFME Vehicles

Vehicles	
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2016 Chevy Colorado	Owned
2002 GMC Field Production Truck	Owned
2013 Dodge Caravan	Leased
2013 Dodge Caravan	Leased
2013 Dodge Caravan	Leased
2013 Dodge Caravan	Leased
2012 Dodge Caravan	Owned
2014 Chrysler Town & Country	Owned

OCTFME vehicles are not assigned to individual users. All vehicle operators are required to complete annually an *ORM District of Columbia Vehicles Operator's Acknowledgement Form* and submit it along with a copy of a valid driver's license to the Fleet Certifying Official (FCO) or designee. All vehicles use DPW's Fleet Share Program to schedule vehicles before use and are tracked by the agency's Fleet Coordinator and DPW.

OCTFME devises (FY16)

a) Cell phones	
Executive Director	Gates, Angie
Supervisory Videographer	Avery, John
Cable TV Inspector	Gist, Mabel
Executive Assistant	Hancock, Helen
Director of Operations	Steven Johnson
Consumer Services Officer	Hicks, Marcella
Supervisory Audiovisual Production Specialist	Mallory, Brenda
Videographer	Oluyole, Silas
Videographer	Parker, Shaun
Supervisory Producer	Patterson, Ferman
Producer	Carter, Kelly
Producer	Fernandez, Cecily
Producer	Washington, Lindsay
Producer	Thorpe, Eugene
Producer	Granato, Matthew
Editor	Dorsey, Nicholas
Editor	Holmes, Stacy
Editor	Phan, Francis
Graphics Designer	Djimbabaou, Salah

Program Analyst	McDaniel's, Durrell
Production Program Assistant	Wooden, Michael
Special Assistant to the Director	Younger, Derek
Audio Visual Specialist	DeGrange, Travis
Audio Visual Specialist	Ellis, Akil
Financial Analyst	Yeldell, Robin
Deputy Director	Niles, Herbert
Administrative Officer	Detra Dickens
Public Affairs Specialist	Martin, Michael, Pharaoh
Public Affairs Specialist	Williams, Raynard
Videographer	Petty, Eugene
Audio Visual Specialist	Borden, Kenneth
Audio Visual Specialist	Dove, Dion
Supervisory Audiovisual Specialist	Reed, Maurice
Supervisory Editor	Shameem, Mohamed
Director of Programming	Tolson, Karen
Videographer	Vegas, Oscar
Attorney Advisor	Logan, Gavin
General Counsel	Cooper, Lawrence

b) iPads	
Program Analyst	McDaniel, Durrell
Cable Inspector	Gist, Mabel
Special Assistant	Younger, Derek
Consumer Services Officer	Hicks, Marcella
Director of Television Programming	Tolson, Karen
Executive Director	Gates, Angie
Administrative Assistant	Dickens, Detra
General Counsel	Cooper, Lawrence

▪ **A list of employee bonuses granted in FY15 and FY16, to date, if any**

OCT and MPTD employees were not granted bonuses in FY15. OCTFME employees were not granted bonuses in FY16, to date.

▪ **A list of travel expenses, destinations, and purpose of travel arranged by employee**

MPTD (FY15)

<u>Traveler</u>	<u>Title</u>	<u>Event</u>	<u>Total Cost</u>	<u>Purpose</u>

Angie Gates	Executive Director	Atlanta Trip	\$1,750.23	Meet w/Studio Execs
Angie Gates	Executive Director	SXSW Conference	\$419.50	Conference - Market DC's tech Community
Angie Gates	Executive Director	American Black Film Festival (ABFF)	\$1,772.50	Film Festival

OCT (FY15)

<u>Traveler</u>	<u>Title</u>	<u>Event</u>	<u>Total Cost</u>	<u>Purpose</u>
Eric Richardson	Executive Director	National Media Market	\$1,587.82	Conference
Eric Richardson	Executive Director	2014 NATOA Conference	\$225.54	Conference reimbursement
Karen Tolson	Director of Programming	2015 NATOA Conference	\$2,105.72	Conference Conference
Gavin Logan	Attorney Advisor	2015 NATOA Conference	\$1,893.75	Conference
Angela Harper	Director of Operations	National Media Market	\$1,268.00	Conference

OCTFME FY16, to date

OCTFME has no travel to date.

- **A list of the total overtime and workman's compensation payments paid in FY15 and FY16, to date**

FY 2015 - Office of Cable Television
Overtime - \$56,459

FY 2015 - Office of Motion Picture and Television Development
There was no overtime in FY 2015

FY 2016 (to date) - Office of Cable Television, Film, Music and Entertainment
Overtime - \$39,612 (as of 2/26/16)

III. Budget

9. Please provide a chart showing your agency's approved budget and actual spending, by program, for FY15 and FY16, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures for FY15 and FY16, to date.

RESPONSE:

See attached **APPENDIX C** (for spreadsheets).

CT0 – FY 2015

- There are no variances in program 1000
- The NPS variance of \$15,044 in program 2000 is caused by reduced travel, maintenance repair and conference fees
- There are no variances in program 3000

TK0 – FY 2015

- The personal services variance of \$16,386 in program 1000 is caused by salary surplus for vacant position
- The NPS variance of \$1,684 is caused by reduced maintenance and repairs
- The personal service variance of \$6,368 is caused by remaining salary surplus for vacant position
- The NPS variance of \$39,684 in program 2000 is caused by reduced travel, equipment, and professional services

CIO – FY 2016

- Expenditures for FY 2016 for OCTFME is on target at planned

10. Please list any reprogramming, in or out, which occurred in FY15 and FY16, to date. For each reprogramming, please list the total amount of the reprogramming, the original purposes for which the funds were dedicated, and the reprogrammed use of funds.

RESPONSE:

FY2015 Reprogramming – Cable Programs

Amount	Type	Purpose
\$373,101.00	Special Purpose Revenue	Reprogrammed within OCT to support services related to the agency's new headquarters, including security, natural gas, electricity, water and sewer.
\$416,655.00	Special Purpose Revenue	Reprogrammed within OCT to support occupancy costs for the Consolidated Maintenance Contract for the agency's new headquarters located at 1899 9 th Street, NE.

FY2015 Reprogramming – Motion Picture Programs

Amount	Type	Purpose
\$314,368	Local Funds	Reprogrammed within MPTD to align anticipated salaries between cost group categories and provide additional budget for sponsorships.

FY16 Reprogramming – OFFICE OF CABLE TELEVISION, FILM, MUSIC AND ENTERTAINMENT

Amount	Type	Purpose
		There are no reprogramming's to date for FY16.

11. Please provide a complete accounting for all intra-District transfers received by or transferred from the agency during FY15 and FY16, to date.

RESPONSE:

See attached **APPENDIX D**.

12. Please identify any special purpose revenue accounts maintained by, used by, or available for use by your agency during FY15 and FY16, to date. For each account, please list the following:

- The revenue source name and code;
- The source of funding;
- A description of the program that generates the funds;
- The amount of funds generated by each source or program in FY15 and FY16, to date; and
- Funds spent, including the purpose of each expenditure for FY15 and FY16, to date.

RESPONSE:

See attached **APPENDIX E**.

13. What percentage of the FY15 budget was used to underwrite various promotional and operational elements of the OCTFME and how were the funds used? What percentage is reserved for FY16?

RESPONSE:

FY15 OCT amount = \$ 8,800.52 which was less than 1% of the budget.

FY15 MPTD amount = \$3,552.50 which was less than 1% of the budget.

FY16 OCTFME amount to date = \$1,156.19 which is less than 1% of the budget.

14. Please provide a complete accounting of all federal funds received and/or carried over for FY15 and FY16, to date.

RESPONSE:

There were no federal funds received or carried over by OCT or MPTD in FY2015.

15. How has the agency taken additional steps since last year to reduce the following during FY15 and FY16, to date in the following areas?

- **Space utilization**
- **Communications costs**
- **Energy use**

RESPONSE:

Space utilization:

As of October 1, 2015 OCTFME consolidated the two agencies of the Office of Cable Television and Motion Pictures into one office space to reduce fixed costs associated with operations. (Optional elaboration) The agency is also within the planning and development stages of a radio station and other new regulatory divisions, now under its agency's responsibilities, to maximize the current facility's potential.

Communications Costs:

Communications costs have increased with the agency-wide cellular phone initiative to keep all employees accessible when out in the field. Communications costs will also increase with the expansion of the wireless broadcasting systems that support multiple-location live broadcasting demands throughout the city. The inauguration of the new radio station has also increased the required costs for operation using fiber-optics.

Energy Use:

OCTFME has several contractors working to reduce the amount of energy used for its HVAC units. This redevelopment project will reduce the agency's energy consumption and shall reduce costs mostly in the winter and summer months. With the appropriate HVAC settings in the studios, all of the production equipment shall require less energy consumption that eliminates computer/device overheating. OCTFME has replaced most of its production studio spotlights with LED lights to reduce its carbon footprint.

16. Please provide the agency's fixed costs budget and actual spent for FY15 and FY16, to date. Please include a narrative description of any substantial changes in these costs.

RESPONSE:

OCT & MPTD FIXED COST STATUS
FY 2015 - FY 2016

FY 2015 - FIXED COSTS

OFFICE OF CABLE TELEVISION (CT0) (reflects actuals in FY 2015)			
Fuel Automotive	Obj 0301 Fund 600	\$	1,096
Gas	Obj 0304 Fund 600	\$	10,232
Electricity	Obj 0305 Fund 600	\$	186,102
Water	Obj 0307 Fund 600	\$	13,884
Telephones	Obj 0308 Fund 600	\$	137,878
Security	Obj 0440 Fund 600	\$	55,294
Occupancy	Obj 0310 Fund 600	\$	157,177

OFFICE OF MOTION PICTURE & TELEVISION DEVELOPMENT (TK0)
MPTD is locally funded. Fixed costs are centrally managed.

FY 2016 - FIXED COSTS

OFFICE OF CABLE TELEVISION, FILM, MUSIC AND ENTERTAINMENT (CIO)			
Telephones	Obj 0308 Fund 600	\$	136,241.00
Security (planned in FY 2016)	Obj 0440 Fund 600	\$	132,326.00 *
*Currently \$83,416 is budgeted for Security. Reprogramming has been initiated to add \$48,910 to support Security. Additionally, OCTFME is a merge of Office of Cable Television (CT0) and Office of Motion Picture & Television Development (TK0). DGS will support remaining fixed costs in FY 2016. FY 2017 Budget Formulation includes fixed costs to be supported by OCTFME.			

Note: There are no “substantial changes” in these costs to report.

17. In the 2016 budget, the Council provided \$2,500,000 for the Film DC Economic Incentive Program. Please explain what plans have been developed and implemented by the agency for the utilization of these funds? Please explain if and why the DC Film Incentive Program is not meeting objectives and what solutions must be implemented to make a new incentive program more practicable. Also, please provide a timeline of when these objectives and solutions can be met.

RESPONSE:

The Office of Cable Television, Film, Music and Entertainment (OCTFME) has actively and strategically implemented the program and utilized the \$2.5M the Council provided the Film DC Economic Incentive Fund.

A total of \$1,264,367 was carried over from FY15 and the additional \$2,549,382 allocated in FY16 provided OCTFME a total of \$3,813,460 to utilize as FY16 began. OCTFME began reviewing applications in FY15 and issuing program acceptance/program pre-certification letters in FY16.

Fund Balance carried over from FY15: \$1,264,367

Fund Balance allocated in FY16 BSA: \$2,549,382

Balance available to Fund as of 10/1/15: \$3,813,460

OCTFME has gotten an overwhelming response to the reinstated incentive program and is pleased to report their efforts to balance support of out of state “Hollywood” productions was balanced by a concerted effort to also support local businesses with a year-round impact on the DC economy and labor market. Of the ten (10) pre-certification letters issued (see below), 5 were issued to out-of-state production companies and 5 were issued to local and regional production companies.

- Project 1: Meridian Hill Pictures (City of Trees)

Assigned Rebate Cap*: \$85,000

Anticipated DC Qualified Expenditure: \$253,900

Location of Production Company: DC

Note: OCTFME is further supporting local production company Meridian Hill Pictures by sponsoring the local premiere of the film the upcoming 2016 Environmental Film Festival. OCTFME will be sponsoring and supporting 2 screenings and panel sessions.

- **Project 2: Sony Pictures Television (Jeopardy!)**

Assigned Rebate Cap*: \$460,000

Anticipated DC Qualified Expenditure: \$1,462,000

Location of Production Company: Los Angeles

Note: Sony added an extra 3 days of filming (an anticipated extra \$365,000 in local spending) for a “Teen Tournament” (that was previously going to be filmed in Los Angeles) to the already planned “Power Players Week” taping. Sony also agreed to offer access to local DC youth to the events surrounding their stay in DC.

- **Project 3: The Content Farm (Live @ 9:30)**

Assigned Rebate Cap*: \$300,000

Anticipated DC Qualified Expenditure: \$875,000

Location of Production Company: MD/DC

Note: Based on the incentives offered to Maryland-based production company, The Content Farm, the company agreed to move their headquarters from Gaithersburg, MD to Northwest DC in early 2016.

- **Project 4: The District Film Group (You Can't Hurry Love) - \$100,000 [DC]**

Assigned Rebate Cap*: \$100,000

Anticipated DC Qualified Expenditure: \$310,000

Location of Production Company: DC

Note: This local production company filmed their project in the BET Soundstage, one of the first projects to make use of the new marketing and facilities management partnership between BET and OCTFME.

- **Project 5: NBC/Universal (Bourne Identity 5)**

Assigned Rebate Cap*: \$550,000

Anticipated DC Qualified Expenditure: \$2,182,647

Location of Production Company: Los Angeles

Note: NBC/Universal offered a special “set visit” to a group of students from the Richard Wright PCS. The film’s star, Matt Damon, as well as the director and producer met with the kids and spoke with them about careers in film production. They also provided a special “media education” component to the set visit by setting up a special “video playback tent with monitors so the students to watch the filmmakers and actors at work. Bourne 5 also utilized the BET Soundstage campus as their transportation and wardrobe “home base” and used office space for their transportation and production accounting teams.

- **Project 6: BET Networks (Bobby Jones Gospel)**

Assigned Rebate Cap*: \$350,000

Anticipated DC Qualified Expenditure: \$2,319,118

Location of Production Company: DC

- **Project 7: Mega Mind Media (Secrets of a Housewife)**
Assigned Rebate Cap*: \$92,500
Anticipated DC Qualified Expenditure: \$269,987
Location of Production Company: DC (Ward 8)
- **Project 8: Parisburg Productions/Protazoa Pictures (Jackie)**
Assigned Rebate Cap*: \$375,000
Anticipated DC Qualified Expenditure: \$1,250,000
Location of Production Company: DC USA/Belgium
Note: This bio pic based on the life of Jackie Kennedy Onassis used the BET Soundstage facility for its pre-production offices and as the home base for their transportation and wardrobe departments during principle photography. Including pre and post production this film's total footprint in DC will be over 6 weeks (one week of that principle photography).
- **Project 9: Bonanza Productions/Warner Bros. (Person of Interest)**
Assigned Rebate Cap*: \$90,000
Anticipated DC Qualified Expenditure: \$286,987
Location of Production Company: Los Angeles
Note: This CBS program was going to film these segments in New Jersey were it not for the available incentive.
- **Project 10: HBO (Veep)**
Assigned Rebate Cap*: \$550,000
Anticipated DC Qualified Expenditure: 2,898,676
Location of Production Company: Los Angeles/New York
Note: HBO agreed to partner with OCTFME on a workforce training component for this project. Three district residents (including a military veteran) were selected to participate in a Production Assistant Training program were they were able to learn from and network with industry professionals.

TOTAL Assigned rebate (as of 2/25/16): \$2,902,500

Amount remaining in fund for balance of FY16: \$910,960

* This is the amount spoken for (set aside in SOAR), but not allocated until the verified and vetted expense report and independent audit is verified and vetted. Funds will ONLY be disbursed once all qualified spending is confirmed.

The total anticipated qualified local expenditures as reported by the applicants above total \$12,108,095. The final totals will not be known until the final audited expenditure reports are submitted, reviewed and vetted. However, if the anticipated expenditure estimates are confirmed after vetting, based on the \$2,902,500 in incentive awards assigned to these projects the incentive rebate contribution will have a 4.2 to 1 impact to incentive investment ratio.

18. Please identify all legislative requirements that the agency lacks sufficient resources to properly implement.

RESPONSE:

At this time, OCTFME has not identified any legislative requirement that the agency lacks sufficient resources to properly implement. Given the OCTFME's expanded mission, however, OCTFME is currently doing an assessment to identify any gaps in which additional resources may be required to fulfill our mission. In addition to resources, OCTFME is exploring the possibility of reorganizing its structure to make better use of existing resources and become more efficient in agency operations.

IV. Agency Programs and Policies

19. Did the agency undertake any policy initiatives during FY15 and FY16, to date? If so, please provide the following information:

- **A detailed description of the program**
- **The name of the employee who is responsible for the program**
- **The total number of FTE's assigned to the program**
- **The amount of funding budgeted to the program**

RESPONSE:

Program Initiative A: OCT and MPTD Re-brand/Agency Name Change

Narrative: The former OCT and MPTD executed an initiative to transition the individual agency ID's and branding into the new branding for the new agency, OCTFME. This process involved working with OCTO, DCHR, OCA and other government agencies to effect the name change into all of the government administrative systems.

Program Initiative B: Film DC Economic Incentive Program

Narrative: The major policy initiative MPTD (in FY15) then OCTFME (in FY16 to date) undertook was the re-implementation of the Film DC Economic Incentive Fund Program. OCTFME did an analysis of the suspended program, undertook a best practices review of the best program from around the country, wrote new program rulemaking to guide the administration of the program, and then re-launched the program (please find a detailed review and update of the program's administration in Question #17).

Overview of Program: The Film DC Economic Incentive Fund Program is administered by the Office of Cable Television, Film, Music and Entertainment (OCTFME) subject to the Film DC Economic Incentive Act of 2006 (D.C. Law 16-290; D.C. Official Code § 39-501). The goal of the Film DC Economic Incentive Fund Program is to encourage the use of the District of Columbia as a site for the production of film, television, interactive, and digital video content; support media industry infrastructure projects; and incentivize the hiring of District residents as cast and crew.

The Film DC Economic Incentive Fund offers cash rebates for qualified productions in the District, equal to:

- 42% of qualified production expenditures taxable in the District;
- 21% of qualified production expenditures not taxable in the District;
- 30% of qualified personnel expenditures;
- 50% of qualified job training expenditures; and
- 25% of infrastructure investments.

To qualify, an approved applicant must spend at least \$250,000 in the District of Columbia on qualified expenditures, file an application and enter into an incentive agreement with OCTFME, and not be delinquent in any tax obligation owed to the District of Columbia.

FY16 Update: Please note the Film DC Economic Incentive Fund will be updated in the coming weeks pursuant to a legislative amendment MPTD also submitted to Council in FY15 (Bill B21-206 – The Film DC Economic Incentive Amendment Act of 2015). The bill was approved and signed by Mayor Bowser in January of 2016. The Film DC Economic Incentive Amendment Act of 2015 (A21-263) is awaiting final Congressional approval.

Below are most significant new provisions that will be adopted after A21-263 goes into effect:

- The program will be renamed the “District of Columbia Film, Television and Entertainment Rebate Fund.”
- Reduces the qualified production expenditures taxable in the District rebate from 42% to 35%.
- Reduces the qualified production expenditures not taxable in the District rebate from 21% to 10%.
- “Development and Distribution expenditures” no longer qualify as a qualified expenditure.
- Boxing, wrestling, mixed martial arts and other “special events” that will be filmed or broadcast for national, international, or digital internet distribution will now qualify as a “qualified production expenditure.”
- Adds a mandatory “Filmed in the District of Columbia” credit requirement.
- Caps “above-the-line” cast and crew expenditures at \$500,000 per project.

Number of FTEs assigned to Program: Three (3). Director Angie M. Gates supervises the program. Deputy Director Herbert Niles reports to Director Gates and is assigned as the lead administrator of the program. General Council Lawrence Cooper supervises any legal, statutory, or rulemaking matters associated with the program.

Amount of Funding Budgeted for the program:

Fund Balance in FY15: \$1,264,367

Fund Balance allocated in FY16 BSA: \$2,549,382

20. Please describe any initiatives your agency implemented within FY15 and FY16, to date, to improve the internal operation of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

RESPONSE:

INITIATIVE 1: OCTFME Staff Health Initiative

OCTFME has introduced a health initiative program in correlation with Mayor Bowser's health initiative to get its employees healthier and more health conscious. The plan is to ensure that all employees are aware of their fitness and health levels to promote healthier communities.

The expected results are that employees will reduce their body mass index and body fat percentage while increasing overall energy levels and teamwork. Currently, employees are invited to take part of a fitness class at the end of the workday on Tuesdays to help support in their personal goals. The attendance has helped to build encouragement amongst management and subordinates as everyone works at the same level to conquer fitness obstacles.

Also, in an effort to promote overall health consciousness, OCTFME partnered with DC FEMS to host a Hands Only CPR class that was opened to the public. The event was televised to help expand general knowledge of proper CPR and medical emergency assistance.

21. Please provide a list of all studies, research papers, and analyses ("studies") the agency prepared, or contracted for, during FY15 and FY16, to date. Please state the status and purpose of each study.

RESPONSE:

There were no studies, research papers, or analyses OCT, MPTD (in FY15) or OCTFME (in FY16) prepared or contracted for.

22. If applicable, please explain the impact on your agency of any legislation passed at the federal level during FY15 and FY16, to date.

RESPONSE:

N/A

23. Please provide a copy of the agency performance plan for FY15 and FY16 and provide a narrative description of what actions the agency undertook to meet the key performance indicators or any reasons why such indicators were not met. Did the agency meet the objectives set forth in the performance plan for FY15?

RESPONSE:

See attached **APPENDIX F** (OCT FY15 Performance Plan).

See attached **APPENDIX G** (MPTD FY15 Performance Plan).

See attached **APPENDIX H** (OCTFME FY16 Performance Plan).

Please refer to the OCT and MPTD accountability reports filed with the Office of the City Administrator for an overview of performance objectives met and reasons why any indicators not met were not met.

See attached **APPENDIX I** (OCT FY15 Accountability Report).

See attached **APPENDIX J** (MPTD FY15 Accountability Report).

24. Please list and describe any ongoing or completed investigations, studies, audits, or reports on your agency or any employee of your agency during FY15 and FY16, to date.

RESPONSE:

There were no ongoing or completed investigations, studies, audits, or reports on your agency or any employee of your agency during FY15 and FY16, to date.

25. Describe any upgrades to the electronic database REELSCOUT maintained by your agency and, please, provide the following information: how they have improved the agency's capacity to market District film locations for shootings, enhanced the agency's outreach efforts to film and television production companies for DC film location information, and provided useful information for the DC-based film and television production industry?

RESPONSE:

There have been no upgrades to the REELSCOUT electronic database during this time period. However, in FY16 OCTFME has initiated an ongoing initiative to increase the number of locations in the database. We are working with the Department of General Services, reaching out to the ANCs, and leveraging other public networking and engagement opportunities (such as film festivals) to identify more film-friendly locations. Our goal is to add approximately 300 new locations into the database by the end of FY16. A more robust locations database will enhance our ability to attract film and television production companies to shoot in DC by showing a wider array of options outside of 'postcard' DC, as well as provide useful contact information to all film and media stakeholders.

26. How has the agency worked with stakeholder communities as a means of increasing public transparency and communication of the agency's work, including partnerships in the motion picture and television industry, community associations, and ANCs? Has the agency built on those efforts to bridge new partnerships and, if so, what has been the feedback these partners have given regarding the agency's efforts, as well as the agency's opinion regarding what might be done to improve upon them.

RESPONSE:

MPTD and OCT in FY15 and OCTFME in FY16 have continued and implemented several effort to foster stakeholder transparency. These efforts include regular contact with ANC's and reporting to neighborhoods and businesses regarding upcoming filming. Using the OCTFME website to notify the public of permits issued by the agency as well as job opportunities reported to OCTFME by the media production community.

OCTFME also has instituted a regular monthly newsletter that informs stakeholders of agency operations, programs and industry-related events and opportunities

OCTFME has actively engaged local schools, media professional organizations, and local film festivals and other special events and MPTD and OCTFME (in FY16) has actively supported and sponsored film festivals, job fairs, media industry networking opportunities and promoted media education opportunities.

The organizations and partners have reported very positive feedback in this area.

27. What has the agency done in the past year to make the activities of the agency more transparent to the general public?

RESPONSE:

OCTFME has actively utilized its website and social media platforms to make the activities more transparent to the general public.

In addition to the utilization of the website and social media, OCTFME began issuing a monthly newsletter beginning in FY16.

OCTFME also participates with the Office of the City Administrator's annual agency performance accountability report

28. Please identify ways in which the activities of the agency and information retained by the agency could be made more transparent.

RESPONSE:

OCTFME believes its current transparency efforts are effective, but the agency conducts a quarterly internal review of its transparency efforts and processes. OCTFME will reevaluate and institute new transparency processes if a need to improve transparency efforts are identified during those quarterly reviews.

29. Please identify any statutory or regulatory impediments to your agency's operations.

RESPONSE:

OCTFME has not identified any statutory impediments to its operations, but continues to work with Council and the Mayor's office in prioritizing the execution of initiatives that address the mission of this newly created agency.

30. Please identify all recommendations identified by the Office of the Inspector General or the D.C. Auditor during the previous year. Please note what actions have been taken to address these recommendations.

RESPONSE:

OCTFME has not received any recommendations from the Office of the Inspector General nor the DC Auditor during the previous year.

31. Please describe the services and assistance you provide to filmmakers and the industry and a percentage breakdown of the categories of assistance provided by OCTFME.

RESPONSE:

OCTFME provides service and assistance to filmmakers via responding to their email, telephone, and walk-in inquiries. Filmmakers are typically curious about film permit requirements and procedures, where in the District they are allowed to film, finding specific locations, and parking-related matters in the District.

OCTFME assists filmmakers by finding or referring them to DC locations and offering pre- and post-production resources and services needed to produce their project. This is accomplished by either providing them with the information directly or referring them to our online film resources for production assistance, locations gallery, associations and networking opportunities, and film events.

OCTFME also offers filmmakers who reside in the District the opportunity to sign up for ReelCrew, an in-house, online database of crew and production services for District businesses and residents only.

OCTFME posts casting and crew opportunities that are relevant to District residents on our website, as well as production alerts of current film production activity in the city to raise the awareness of District residents, tourists, potential producers and directors and other interested persons.

OCTFME responds to telephone and walk-in inquiries on the spot, and to emailed inquiries within 24-hours or the next business day.

Overall, the assistance that OCTFME provides to filmmakers can be broken down into the following categories and percentages:

- Film, television, multimedia, and still photography permitting support – 35%
- Support and marketing of community media events and professional organizations – 25%
- Technical and logistical assistance for local production activity – 10%
- Location assistance related to local production activity – 10%
- General production research assistance – 5%
- Administrate and execute community media events (Summer Film Series) – 5%
- Concierge services: Assistance with temporary office space, hotel and other miscellaneous services for productions. – 5%
- Online location gallery (OCTFME's website and ReelScout) – 5%

32. How does OCTFME work with other District government agencies, the federal government, and the private sector to increase its effectiveness to enhance film production in the District?

RESPONSE:

OCTFME focuses on building and maintaining strong partnerships with local media industry groups and professional associations, District government agencies, federal government agencies and other stakeholders.

OCTFME works closely with several District government agencies, including but not limited to the: District Department of Transportation (DDOT), Metropolitan Police Department (MPD),

Department of Consumer and Regulatory Affairs (DCRA), Department of General Services (DGS), Fire and EMS Department (FEMS) and DC Commission on the Arts and Humanities (DCCA); federal government agencies, including but not limited to the: National Park Service (NPS), United States Secret Service (USSS), Capitol Police and Transportation Security Administration (TSA); and the private sector to enable OCTFME to realize its stated mission of facilitating and maximizing media production activity in the District of Columbia.

OCTFME has worked diligently during FY15 and FY16 to develop very positive working relationships with DDOT, DCRA, MPD, NPS, Secret Service, Capitol Police, and FEMS especially, so that we are able to quickly consult with the decision-makers at these agencies. We believe these stronger working relationships will help cut through some of the obstacles we've faced in the past, and increase our effectiveness at getting more film production permitted and licensed in the District.

OCTFME also has a seat at the Mayor's Special Events Task Group meetings bi-weekly. This also helps to solidify relationships with our contacts at various other DC and federal agencies.

33. From the feedback you have received from customer surveys, please provide the following information:

- **The number of customer surveys received;**
- **What did the Office learn from the feedback; and**
- **What changes has the Office implemented as a result of such feedback.**

RESPONSE:

OCTFME received 283 survey responses in FY15 and 95 survey responses in FY16, to date.

OCTFME has learned our stakeholders are overwhelmingly pleased with the services we provide. In FY15, OCTFME achieved a 100% "Satisfactory" or above rating.

As a result of overwhelmingly positive feedback, OCTFME has not implemented any substantive changes. However, we do plan to continue to search for and implement new ways to better service our constituents, notwithstanding these positive survey results.

34. Please provide an analysis of the complaints the office has received regarding the operational aspects of the agency. Please include:

- **A description of the most common complaints;**
- **A breakdown of the percentages of the most common complaints; and**
- **A description of the actions taken to address and reduce these common incidences.**

RESPONSE:

From FY15 to date, OCTFME has received one complaint regarding the operational aspects of the agency. This complaint was related to technical concerns of a customer in accessing certain content on the agency website. The agency responded to this complaint within 24 hours, as is the goal in responding to all complaints.

35. Now that the OCTFME is under new leadership what are your new visions and goals for FY16?

RESPONSE:

The mission of the Office of Cable Television, Film, Music and Entertainment (OCTFME) is to manage and administrate the District of Columbia's cable television franchise agreements; provide government and public interest programming for District residents; and support a sustainable creative economy, entertainment and media industry in the District. OCTFME realizes its mission by (1) implementing, managing, and administering programs, initiatives, and services that support film, television and entertainment industry economic growth and employment in the District of Columbia; (2) regulating District's cable service providers by enforcing applicable federal and District cable television laws and regulations, including District Cable Franchise Agreements; (3) Establishing cable franchise agreements between cable service providers and the District, ensuring compliance with those franchise agreements, and maintaining an economic and regulatory environment that promotes competition in the cable television industry in the District; (4) facilitating a harmonious relationship between District cable service providers and their customers by mediating disputes and enforcing applicable customer service regulations; (5) facilitating open and transparent access to the District Government through the operation of its government cable channels, District of Columbia Council Channel (DCC) and the District of Columbia Network (DCN), and its educational cable channel, District Knowledge Network (DKN); and (6) protecting live and recorded video and other programming by way of the District's public, educational, and government (PEG) cable channels.

36. How many shootings took place in FY15 and FY16, to date?

RESPONSE:

The number of filmed production projects permitted through OCTFME in FY15 and FY16, to date is as follows:

FY15 – 263

FY16, to date – 101

37. What was the economic impact of film and television industry activity in Washington, DC for FY15 and FY16, to date? Include the following information:

- **How much revenue was generated for Washington, DC;**
- **How many DC residents were employed by the film and television projects undertaken in Washington, DC;**
- **What formula does OCTFME use to measure these economic indicators; and**
- **Projections for FY2015 and FY2016.**

RESPONSE:

How much revenue was generated for Washington, DC?

Producer-reported local economic impact spending associated with filming activity permitted through OCTFME is as follows:

FY15 –\$7,446,159.60

FY16, to date – \$2,830,809.13

How many DC residents were employed by the film and television projects undertaken in Washington, DC?

FY15 – 1878

FY16, to date – 756

Note: These figures are based on the “self-reported” data submitted by permit applicants. These numbers only cover projects that permitted through MTPD/OCTFME. These do not reflect other economic impact from production activity permitted by federal agencies or through location arrangements with private parties.

What formula does OCTFME use to measure these economic indicators?

OCTFME currently calculates motion picture and television industry spending in the District by the dollars spent in the District by all types of productions permitted directly through us. Data is reported by production companies when they apply for a District government permit in the “expenditure report” section of the permit application forms filed with OCTFME.

OCTFME currently calculates temporary job and training opportunities in the motion picture and television industry by reporting data regarding District resident hires presented by productions on the aforementioned expenditure report. Each production permitted with OCTFME reports how many District residents the production intends to hire for cast, extras, and crew during its work in the District.

It should also be noted that with the activation of the Film DC Economic Incentive Fund program and the acceptance of “program awardees” in FY16, once OCTFME begins receiving the independently audited production expenditure reports from these projects, OCTFME along with DMPED and their economic impact and analysis team will review these reports for indicators of the direct and indirect impact as well as permanent and temporary job creation.

To date, OCTFME has not yet received any audited expenditure reports from the program awardees.

38. What percentage of time does OCTFME devote to the following activities?

- **Permitting**
- **Site location**
- **Marketing and Promotion**
- **Other (please describe)**

RESPONSE:

With the creation of OCTFME and the fact the programs and operations of the former MPTD were folded into the larger agency, it is harder to estimate the percentage of time devoted to these operations when compared to the other operations of OCTFME (the programming, regulatory, and consumer support from the former OCT). That stated, below find an estimate of the time

devoted to these operations within the Film, TV and Entertainment department of the larger OCTFME:

- Permitting -25%
- Stakeholder Sponsorships and media event support – 20%
- Incentive Program Administration – 20%
- Locations/site assistance – 10%
- Marketing and Promotion – 10%
- Media Workforce Training & Media Education Opportunities – 10%
- Administrative/Other – 5%

39. Please describe OCTFME's biggest accomplishments in FY15.

RESPONSE:

- OCT-MPTD consolidation into OCTFME: OCT and MPTD worked to effectively executed the successful logistical, administrative and legislative consolidation of former agencies OCT and MPTD into the Office of Cable Television, Film, Music and Entertainment (OCTFME).
- Re-activation of the Film DC Economic Incentive Fund: MPTD/OCTFME re-activated the fund after 5 years of the fund being inactive. The program rulemaking was updated. MPTD also submitted a submitted legislative amendment in FY15 to Council (B21-206 – The Film DC Economic Incentive Amendment Act of 2015) that proposed changes to the statute to make the program more effective and a better value for the District taxpayers. The amendment was approved and signed by Mayor Bowser in January of 2016. The Film DC Economic Incentive Amendment Act of 2015 (A21-263) is awaiting final Congressional approval.
- OCT Improvements to Programming and Services:
 - Increased “live” broadcast programming by 100% (an increase of 88 live program in FY 2015)
 - Increased OCTFME programming on YouTube channel
 - Upgraded City Council Hearing rooms 412, 123, and 120 to provide Closed Captioning
 - Began “daily production” of Washington Full Circle program (first DC government daily cable program since 1993)
 - Provided live coverage of Pope Francis’ Congressional Address
- OCT honored by NATOA for government programming excellence: In FY15 OCT was recognized by the National Association of Telecommunications Officers and Advisors (NATOA) Awards for the following achievements:
 - Washington Full Circle: Marion Barry Casket Departure: 1st Place (for live coverage)
 - Mayor Muriel Browser Inauguration/Swearing-In Ceremony: 2nd Place (for live coverage)
 - Creative Economy Promo Video: Honorable Mention (for promotion of a city or county)
 - Overall Broadcast Excellence: Honorable Mention

40. What industry infrastructure improvements is OCTFME working on this year and how do these infrastructure improvements increase workforce development in the District?

RESPONSE:

OCTFME plans to continue to leverage the feature of the Film DC Economic Incentive Program that supports “infrastructure improvements” at a 25% rebate level and will actively promote and market this support option to local and out of state media operations that seek to improve and upgrade their current local operations or are interested in using this incentive to move their operations into the district.

OCTFME will also continue to grow its new partnership with the BET Soundstage campus and where possible work with them on any infrastructure improvements that will make the location even more attractive to media producers.

OCTFME worked closely with Pigmental as they continue their DC headquarters improvements.

OCTFME believes that the increased growth and diversification of the local media industry infrastructure will lead to increased employment within this segment of the economy and increased opportunities for workforce development and media literacy opportunities.

41. Please discuss plans for developing educational programs to train District students and residents in film and television production and related fields?

RESPONSE:

As a host agency for the Marion Barry Summer Youth Employment Program (MBSYEP), OCTFME has consistently engaged our participants in hands on training in television production. Through the program, students and District residents not only learn how to operate technical equipment in the studio and in the field – but also how to research, write and produce public service announcements. Recent trainees have participated in important PSAs such as a public awareness campaign supporting the Mayor’s anti-synthetic marijuana initiative. Expanding this educational exercise to include participants in our college internship program will further enhance our training efforts.

We also enlisted students from Richard Wright Public Charter School in the studio production of one of our feature programs called The O. The participants were received instruction in the operation of studio cameras, proper placement of microphones on guests, teleprompter reading and how to perform on-air as guest panelists. The students were also taped individual messages highlighting the Mayor’s public safety PSA campaign.

Additionally, OCTFME will provide the requisite soft skills necessary for successfully acquiring and maintaining jobs that will help them build a pathway to the middle class. They are required to attend seminars that focus on banking to build financial literacy, are taught effective resume creation and receive on-going training and feedback to develop strong interpersonal and oral communication skills.

It is the agency's objective to continue this model in FY16 and expand upon its outreach to public and charter schools, non-profit organizations, and community groups. OCTFME has, and will avail its facility to these entities for tours, studio audience participation, and media presentations.

OCTFME was also excited about the opportunity to offer a delegation of students from the Richard Wright Public Charter School the opportunity to go to the set of Bourne Identity 5 where they got an opportunity to meet with and get advice from several members of the film's crew.

OCTFME plans to continue efforts to leverage its relationships with media production producers to offer hands on education opportunities on media production sets.

42. Producers have indicated there are many obstacles in obtaining permits for filming in DC in regards to the number of police agencies that control the different jurisdiction's, such as sidewalks, streets, and monuments. Do you have a plan to simplify this process; such as a one stop shop?

RESPONSE:

This is a valid and ongoing concern among media producers who've filmed here in the nation's capital. But unfortunately, Washington, DC is home to Congress and the President of the United States. As such, security restrictions will not relax so easily.

OCTFME's plan is to first partner more with its sister agencies like the District of Columbia Public Access Corporation (DCTV), DGS, and Destination DC to leverage its combined assets more efficiently to provide filmmakers with the best experience possible in the District.

Secondly, OCTFME plans to meet with agencies such as NPS, U.S. Capitol Police, MPD, Washington Metropolitan Area Transit Authority, and DPW to hopefully come to some accord on what the minimum requirements would be needed to allowing filming in all areas of the District. OCTFME's objective is to smooth out jurisdictional lines and ensure a cooperative working relationship.

MTPD has increased "hands on" approach to executing its strategy of comprehensive start to finish media production support. OCTFME's strategy includes working more closely with stakeholders on securing locations, assisting in a liaison capacity with securing permits with federal agencies, and making sure they are able to execute their productions a seamless manner. OCTFME's efforts in this area have included increased OCTFME staff "set visits" and increased personal engagement with media producers to get actionable feedback on how OCTFME customer service and production support for media makers can continue to improve.

OCTFME's media production permitting and production support staff has streamlined the customer support and engagement with productions filming in the District. OCTFME's permitting and production support staff also began an active and pro-active effort to engage both District government and Federal government partners with permitting authority in an effort to simplify the permitting and location access process for media producers. Customer feedback has been extremely positive in this area since OCTFME began these inter-agency outreach efforts and OCTFME is on a positive trajectory in this area. This initiative is listed as "partially achieved" because OCTFME believes strongly that there can always be improvement in this area

and will continue the efforts started in FY15 as an ongoing operational and administrative priority in FY16 and beyond. Given the time-sensitive nature of the media production process it is important that standard operating procedures as we partner with DCRA, DDOT and other federal agencies are put in to place and made operational going forward.

43. What are your plans to incorporate the local film/TV community and to continue to attract both independent films as well as major picture productions?

RESPONSE:

OCTFME is actively working with local production crew professionals and locally based production support vendors to highlight their talents and offerings and communicate to the film and TV production community that DC is “open for business” and not only does DC have great locations it also has a vibrant media professional and crew community and a growing community of media support vendors like Shadowstone Lighting.

OCTFME will also be working with DSLBD to identify and create a directory of local businesses that could offer media support services for the industry and then market that list to incoming productions. That list of potential production support businesses include:

- Transportation (local) – Taxis, car rentals, car services limo services
- Transportation (production) – production vehicle rentals, trailers, honey wagons, etc.
- Camera Rental – cameras, cranes, dollies, tracks, sliders, jibs, etc.
- Lighting/Grip Package Rental
- Sound/Audio Package Rental
- Electrical/Gaffer Equipment Rental – generators, et. al.
- Security
- Craft Service/Catering
- Hotels/Accommodations
- Travel Agencies
- Production Office Space
- Office equipment Rentals – fax machines, copiers and the like
- Copying Services – Kinkos, UPS Stores, etc.
- Shipping services – local Fedex/UPS store franchises
- Casting/Extras Casting
- Dry Cleaning
- Costume Rentals
- Building and Industrial Supplies Purchases/Rentals – Home Depot, Lowes, Grainger, etc.
- Hardware Store Purchases

OCTFME will also engage local unions, media professionals and District based media business and non-profits for their input on how the District can leverage its existing media industry ecosystem to attract even more revenue-producing and job creation activity.

44. Hollywood continues to indicate that one of the District’s limitations is the need of a sizable “state of the art” soundstage. Has the agency developed a plan on the feasibility of building a soundstage and a timeline on doing so?

RESPONSE:

OCTFME believes that its current working partnership with BET Networks that is offering the media production community access to the largest full service soundstage campus in the region has gone a long way toward demonstrating the media production community that the District can offer access to an industry standard soundstage facility.

Since the marketing and facility management partnership between OCTFME and BET Networks was solidified in FY15, several productions have already begun utilizing the space. Those projects include:

- Bourn Identity 5 (NBC/Universal)
- Jackie (Protozoa Pictures)
- You Can't Hurry Love (District Film Group)

OCTFME fields several calls a week inquiring about the soundstage and holds an average of 3 site facility tours per week for local location managers and media production companies. The demand for the BET soundstage has been very encouraging and OCTFME expects the interest to continue to grow.

45. Our neighboring jurisdictions, the state film commissions of Maryland and Virginia continue increase their film incentive funds. What is the agency's plan to compete with these states?

RESPONSE:

The state of Maryland had \$7.5M available in its incentive fund in FY15 and FY16. The state of Virginia had a total available incentive pool of \$8.9M in both FY15 and FY16. These numbers are actually slightly lower than were available to these states in previous years.

Though our neighboring states have more in there funds OCTFME believes there are unique advantages the District offers media producers and since the re-instatement of the Film DC Economic Incentive program has found that the combination of the new program combined with the other production support and logistics services offered by OCTFME makes the District more than competitive with our regional partners.

V. Contracts and Procurement

46. Please list each contract, procurement, lease, and grant ("contract") awarded, entered into, extended and option years exercised, by your agency during FY15 and FY16, to date. For each contract, please provide the following information, where applicable:

- The name of the contracting party;
- The nature of the contract, including the end product or service;
- The dollar amount of the contract, including budgeted amount and actually spent;
- The term of the contract;
- Whether the contract was competitively bid or not;

- The name of the agency's contract monitor and the results of any monitoring activity;
- The funding source; and
- Whether the contractor is a CBE.

RESPONSE:

See attached **APPENDIX K**.

47. Please provide a list of all MOU's currently in place, all MOU's entered into within the last year, and any MOU's planned for FY16.

RESPONSE:

At this time the only MOU currently in place is with Court Services and Offender Supervision Agency for the District of Columbia ("CSOSA"). The purpose of the MOU is to produce public safety programming on behalf of CSOSA and air it on the District's DCN channel. This MOU with CSOSA terminates September, 2016.

48. Please describe the steps taken by the agency to provide oversight and management for contracts. Specifically, how does the agency ensure that its programmatic needs are being met? How does the agency ensure that contracting actions are standardized across various programs? How does the agency monitor contract compliance? If the agency has a written policy on contracting monitoring, please provide a copy of the policy.

RESPONSE:

OCTFME follows the policies set forth by the DC Office of Contracts and Procurement (OCP) to provide oversight and management for contracts. OCTFME has an agency contracting officer (ACO) that works in concert with OCP for procurement of goods and services. Procurement is carried out by the Operations department who works directly with the programming, regulatory and executive director's office to ensure that programmatic needs are being met. Programmatic needs are analyzed, prioritized and are carried out in compliance with OCP standards and procedures.

OCTFME manages compliance by assigning an internal contracting monitor to provide oversight and management of contracts. The contracting monitor verifies invoices received by the vendor against the requested deliverables. OCTFME requires that invoices are signed off by the ACO/contracting monitor and the agency director. Invoices are then reconciled internally and forwarded to Office of the Chief Financial Officer (OCFO) for payment. Payments are verified by using the SOAR accounting system. OCTFME also conducts monthly meetings with the OCFO to address any outstanding issues or concerns.

VI. Cable Franchise Agreements

49. Please provide an update regarding the franchise renewal negotiations with Comcast and RCN.

RESPONSE:

With respect to the Comcast negotiations, we are continuing to make progress. When Mayor Bowser came into office, she tasked OCTFME, OCTO, and the Mayor's Office of General Council to engage in negotiations that will ensure the best possible service to District cable subscribers. We have been engaged in that task and are making real, tangible progress. We are hopeful for a speedy resolution but we are being careful and thoughtful in our approach. In doing so, we are also carefully considering terms of recent franchise deals in some of our neighboring jurisdictions, and will use best efforts to ensure the District remains on par, if not leading its neighbors in the services provided through its franchise agreements. Because of the time that has passed during the negotiations, OCTFME is in the process of conducting a new needs assessment, to update the assessment completed in 2011. We share your desire to finalize the negotiations and we assure you we will get it done soon. Because negotiations remain open, it would be inappropriate to publicly disclose the status of specific terms of the renewal agreement at this time.

In the interest of the District to ensure that there is parity between the District's franchise agreements, OCTFME is awaiting finalization of the Comcast agreement before fully engaging with RCN.

50. Please provide an update regarding the franchise renewal negotiations with DCTV.RESPONSE:

DCTV manages two of the District's Public, Educational, and Governmental Channels (DCTV, DCTV-2) and is one of the beneficiaries of the three District franchises. As such, they do not require a franchise to operate.

51. What actions have the agency taken to regulate the District's cable television service providers (Comcast, RCN, and Verizon) to ensure that they are in compliance with their respective franchise agreements and federal and District cable television laws?RESPONSE:

OCTFME regulates the three cable providers in various ways. Each of the cable providers is required, per their franchise agreements, to provide OCTFME with monthly, quarterly and annual reports. These reports include information such as the nature of the complaints the cable companies have received directly and any power or service outages that have taken place in the District. OCTFME reviews each of these reports and conducts follow-ups with the cable providers as necessary to discuss ways to improve the service they provide.

Additionally, OCTFME regulates the Cable providers to address the routine customer service and infrastructure issues that inevitably arise. With respect to customer service, OCTFME routinely ensures compliance with the District's and franchise agreement's customer service requirements and intervenes in those instances where OCTFME has found a cable provider to have acted inappropriately. One such example is where OCTFME assisted a cable customer when it discovered found that the cable provider was inappropriately attempting to collect over \$5 thousand dollars in late fees and other fees for the customer. During the fiscal year, OCTFME responded to over 473 complaints. While "billing complaints" were by far the most common, the

nature of these complaints range from inaccurate billing, to requesting assistance in understanding the content of customer bills.

OCTFME also makes daily inspections of the cable infrastructure. By way of example, OCTFME's cable inspector regularly checks for down or loose hanging cables that pose a threat to public safety, as well as responds to calls from the cable provider or customers when there is a known issue with the cable system. From FY15 to date, OCTFME has addressed over 371 infrastructure violations or complaints.

VII. Cable Programming

52. Has the cable division been forced to cut any programs or services due to decreased federal funding?

RESPONSE:

At this time the cable division has not been forced to cut any programs or services due to decreased federal funding. Currently, OCTFME does not receive any federal funding.

53. Please list all public, educational, and government access ("PEGA") cable channels provided for in FY15, denoting any new channels. Please provide information regarding the number of viewers of each PEGA channel the agency provides. Please include daily viewership number for a sample week of FY15 and also during a different sample week of FY16, if available. If exact numbers are unavailable, please provide best estimates.

RESPONSE:

District of Columbia PEG Channel Listing		
COMCAST	RCN	VERIZON
13-DCC	10-DCTV	12-DKN
16-DCN	11-DCTV-2	10,11,28 DCTV
95-DCTV	13-DCC	16-DCN
96-DCTV-2	16-DCN	18-DCC
98-UDC	18-DKN	UDC-9, 21
99-DKN	19-UDC	

At this time OCTFME is unable to track the number of viewers for each of the District's PEG channels. We are, however, actively exploring various options and strategies for securing services or capabilities that will allow OCTFME to track viewership information. In addition, we do know that the combined homes passed by the cable providers is more than 580 thousand homes, making the District's PEG channels widely available throughout the District.

54. Please describe how the agency worked to expand the knowledge of District children by increasing the amount of educational video programming produced by OCTFME

and cablecast on DKN and also by training District students in television production.

RESPONSE:

OCTFME has increased its educational programming during FY15 and FY16 by presenting a variety of series that focused on topics ranging from Great American Playwrights to how to handle bullying. Additionally, DKN celebrates a community learning and teaching entity each week through its Educator of Week series, which has featured such entities as the Newseum, Film Fest DC, the Smithsonian, and the John A. Wilson building. In addition to the What Did You Learn Today and Educator of the Week series, OCTFME added a new interstitial feature entitled DKN Education Avenue, that has been essential in educating residents of the availability and access instructions for a number of programs and services offered through DCPS, DCLP, and other youth and education focused entities, and DKN Sports, that highlights the athletic activities of the student body. Through DKN's Student Showcase series, OCTFME has collaborated with Eliot Hine Middle School to support and promote their Eliot Hine Network, a regularly produced interview program that has featured a variety of guests from the O'Jays to members of Council.

OCTFME also conducted an educational campaign on synthetic marijuana, in which students from the Marion Barry's Summer Youth Employment Program, (and Richard Wright Public Charter School) participated in the writing, producing, and delivery of the messages. OCTFME also hosted the eXposure Media Project, a non-profit organization that provides Universities and HBCU college student's exposure to the multi-media industry, where staff and local media professionals shared professional experiences and provided an overview on the operation of the facility. OCTFME has welcomed over 10 interns from various local universities during FY15 and to date to participate in the production of these programs and provide the opportunity for them to produce videos that they have conceptualized and created. These interns have been instructed in media logging, writing, producing, editing, camera and teleprompter operation, and on camera presentation.

Additional training has been provided to local schools via the agency's mobile production vehicle. In taking the vehicle to the students, the were instructed in the camera and audio set up, maintaining video and audio levels, recording options, switching from one camera to another, and communicating through Clear Com systems.

55. Please describe how the agency has further facilitated open access to the District government through your government and education cable channels in FY15 and FY16, to date.

RESPONSE:

OCTFME continues to enhance its facilitation of open access to the District government through its government and education cable channels by increasing its live presentations on DCN and DKN. Additionally, OCTFME has expanded its offerings on You Tube; consistently exceeding key performance indicator target numbers. The agency's popularity amongst other agencies and organizations have led to an increase in the web streaming traffic, requiring OCTFME to expand its current bandwidth by 100% in order to accommodate the demand. OCTFME has increased its invitations to youth groups, schools, and fellow government agencies for facility tours and hands on participation in productions and promotional campaigns, (i.e., Synthetic Drugs, Public

Safety, DC One Fund, and Fire/EMS CPR training event).

The addition of close captioning on all live events on DKN, DCC, and DCN, all mayoral live events, and as of FY15, all legislative proceedings conducted by the Council of the District of Columbia in rooms 500, 412, 123, and 120.

Additional series like “Did You Know” and “The Director Profiles” provided access for other District Government agencies and their respective directors to disseminate important information about programs and services. Both series are often placed on agency websites to provide a comprehensive overview of what they do and services offered.

56. Please provide an update as to whether OCTFME has provided for more live programming utilizing wireless communications to broadcast remotely from anywhere in the District in FY15 and FY16, to date.

RESPONSE:

In the utilization of wireless communications to broadcast remotely from anywhere in the District, FY14 yielded 20 live events; FY15 yielded 86 live events (a 330% increase), and in FY16 to date, the agency has 46 live events. An average of 4 hours a week of live programming, and even won a 1st place national award in FY15 for live coverage of the ceremonies surrounding the passing of Marion Barry and 2nd place for the 2015 Swearing In ceremony. OCTFME has provided live coverage of events associated with World AIDS Day, Earth Day, the historic papal visit and address to congress, the Chancellor’s 5 year anniversary and State of the Schools address, weather event updates, the SYEP kickoff, public safety announcements, (arson and Navy Yard incidents); Emancipation Day, H. Street Festival, the service for firefighter Lt. McCrae, and multiple mayoral announcements regarding housing, economic development, education, and meetings with the Council of the District of Columbia, (which historically was unavailable to the public).

These events have occurred at various locations throughout the city, operating on cellular technology that enables live, wireless video transmission from any location at any time. Similar technology is utilized throughout the industry for news and high-profile events such as the winter and Summer Olympic Games, Presidential Campaigns, and red-carpet events.

VIII. Cable Service Competition, Statistics and Expansion

57. In FY15, the agency stated that many multi-dwelling units (MDUs) do not have access to multiple cable television providers because landlords and property managers would not allow more than one provider access to their buildings. The agency also mentioned that under District of Columbia Municipal Regulations, OCTFME may serve as a mediator between cable television providers, landlords, and tenants. What’s the status of these efforts?

- What efforts have you made to utilize this mediator role in FY15 and FY16, to date; Have you had more success in getting more than one cable provider in MDUs than in previous years; and
- Would you recommend the Committee propose legislation to expand OCTFME’s authority in this area?

RESPONSE:

In order to help bring awareness to cable consumers that they may have the possibility of getting cable service from more than one provider to their building, OCTFME has made efforts to meet with various community groups and tenant associations to speak with them about these and other issues. There have been several instances in which OCTFME has facilitated the entry of each of the District's cable providers to a building that previously only had one provider.

OCTFME has seen that both tenants and landlords have confused, exclusive marketing agreements, as being or including exclusive service agreements. Exclusive marketing agreements, a practice that has been affirmed by the FCC, is an agreement between a cable provider and landlord that requires a landlord actively market or advertise only one cable provider to its building tenants. These marketing agreements do not, however, amount to exclusive service agreements, which prevent any other cable provider from accessing the building as expressly prohibited in D.C. Code § 34-1261.01, "Landlord-Tenant Relationship." Regardless of whether a particular residential building has an exclusive marketing agreement with a cable provider, the tenants of that building maintain a right to receive service from any provider able to service that location. As part of its efforts to mediate issues arising out of this confusion, OCTFME has worked to educate both tenants and landlords as to the differences between these agreements, and has found success in doing so.

OCTFME is currently exploring whether it is necessary for the Committee to propose legislation that expands OCTFME's enforcement authority to address tenant harm due to the willful and improper act(s) of a landlord or cable provider. While DC Code § 34-1261.01 provides the tenants with the ability to bring their issues before DC Superior Court, OCTFME has found that litigation is often impractical for residents within the context of these types of disputes. Furthermore, while residents often come to OCTFME requesting assistance, the DC Code does not provide clear authority for OCTFME to enforce this provision of the Code.

58. Please detail any new and on-going efforts OCTFME is making to help lower cable bills through encouraging competition or by directly working with cable providers.

RESPONSE:

OCTFME continually seeks opportunities to help make cable bills lower through encouraging competition, working directly with cable providers and educating cable consumers. OCTFME's efforts to encourage competition have been primarily through facilitating and mediating issues between current and potential customers and the cable providers, and identifying areas, buildings or communities in which cable providers may be desired. The agency has been successful in getting cable into buildings and homes which did not previously have a cable provider, facilitating the entry of an additional cable provider into a community, as well as mediating disputes between customers and cable providers, and between landlords and cable providers. In addition, OCTFME works with customers to help them understand their bills, correct inaccuracies, such as technical and billing conflicts, and also identifies areas the customer may consider to gain even greater value for their services.

Often the perceived higher cable rates are associated with the rates charged for High Definition, Interactive equipment, premium channels and many services that are outside of the agency's regulatory authority. Despite our limitations, OCTFME often reviews services and charges with

the customers and may suggest ways in which the customer can save by re-examining bundled services, conducting price comparisons between the three companies and closely reviewing monthly bills. OCTFME also assists customers by suggesting they contract for services that will meet their particular needs from a technological and financial standpoint. OCTFME continues to find that as consumers become savvier, they themselves increase the competition between cable providers through the use of their knowledge to leverage better deals.

Finally, OCTFME points to the possibility that the Federal Communications Commission's proposed action to create a broader market for set-top boxes may help to address many of the customers' pricing concerns, by creating access to cheaper equipment. OCTFME has taken part in discussions around the country, and has expressed its position that expanding the set-top box market for consumers may be a big step towards helping to ease cable costs for consumers. OCTFME continues to follow and research this matter, and will contribute to the conversation where appropriate.

59. Last year, the agency stated that once the Verizon FiOS rollout was more complete, a "competition threshold" would be reached where market conditions and increased access to multiple cable providers would force cable bills to begin to drop:

- **Has this competition threshold been reached;**
- **If not, when does the agency project it will be reached; and**
- **If so, has OCTFME noticed any difference in cable prices offered by all the cable service providers operating in the District? Please explain.**

RESPONSE:

Verizon has not yet completed its FIOS rollout and has updated the completion date to 2019; OCTFME believes that the cable service competition still has much room to grow. OCTFME anticipates that as Verizon continues to progress with its build-out, consumers will see the benefits of this increased competition reflected through improved viewing and pricing options. OCTFME has observed that prices in the basic service tier continue to remain low. In addition, OCTFME has observed that another area in which the cable providers are competing is in quality and types of services offered. Due to the increased competition and consumer demand, OCTFME has observed a rise in the quality of video viewing and many other services that were unavailable in the past. Not only are cable providers offering a wider variety of cable video service options, but they have increased the availability and quality of ancillary services to cable television, such as internet, which is now reaching speeds upwards of 1 gigabyte.

60. Please provide information concerning cable service penetration in the District. How many residents subscribe to cable television? If possible, please give a breakdown of the number of customers subscribing to Comcast, RCN, and Verizon.

RESPONSE:

OCTFME is unable to estimate the specific number of subscribers for each of the cable providers due to the proprietary nature of that information. Nielsen and other traditional rating services do not provide ratings and audience numbers for government managed channels, however, we can report, based on our records that there are approximately 198,246 cable subscribers in the District. Finally, each of the District's 8 Wards is serviced by at least two of the three cable providers in the District.

OCTFME is currently in the process of investigating options available to get more definitive metrics in this area.

61. Please provide information about how many residents in the District use satellite television providers.

RESPONSE:

OCTFME is unable to provide information on the District's use of satellite services, because they are not locally regulated entities, and are not required to provide our office with any information.

62. Please detail in which areas of the city customers have only one option for cable provider.

RESPONSE:

While there may be particular neighborhoods or smaller areas within neighborhoods that only have access to one cable provider at this time, every Ward in the District has access to at least two cable providers. Without reviewing the facts of that particular neighborhood or customer, OCTFME is unable to determine the cause for a particular neighborhood having access to only one provider. The reasons may range from poor communication between the potential customer and cable provider to various technical issues that prevent a particular cable provider from reaching the desired location or potential customer at this time. While OCTFME is proud that every Ward has access to at least two cable providers, we are continuing our efforts to provide cable provider options to every home by working with both residents and cable providers to find solutions.

IX. Additional Comments

63. Please take the opportunity to provide the Committee with any additional comments, concerns, or suggestions that you feel the committee should be aware of that have not been addressed in this questionnaire.

OCTFME appreciates the opportunity to participate in this process of transparency, open government and accountability. If the committee has any additional questions for the agency please forward those questions to our attention.