

RESOLUTION NO. 76-15

A RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT CONCERNING THE CITY OF COLORADO SPRINGS' FUTURE CABLE-RELATED COMMUNITY NEEDS AND INTERESTS AND CONCERNING PAST PERFORMANCE OF COMCAST OF COLORADO/PENNSYLVANIA/ WEST VIRGINIA, LLC (LOCALLY KNOWN AS COMCAST) UNDER THE EXISTING FRANCHISE

WHEREAS, Comcast of Colorado/Pennsylvania/West Virginia, LLC (hereinafter referred to as "Comcast") is the successor in interest to the franchisee under that certain cable television franchise granted on November 7, 2000 by the electors of Colorado Springs voting to approve Ordinance No. 00-119, and Comcast is the current operator of that franchise; and

WHEREAS, the cable television franchise being operated by Comcast is due to expire on November 7, 2015; and

WHEREAS, for the benefit of the residents of Colorado Springs, it is desirable that the City of Colorado Springs solicit public comment as part of the franchise renewal process.


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF COLORADO SPRINGS:

Section 1. A public hearing is hereby set before the City Council on the 10th day of August, 2015 at City Council Chambers, City Hall, 107 North Nevada Avenue, third floor, Colorado Springs, Colorado, commencing at 6:00 o'clock p.m., or as soon thereafter as the business of Council permits, to receive public comment and information regarding the community's future cable needs and interests and Comcast's past performance, including all matters identified in Section 2 of this Resolution. Council hereby recognizes that notice of the hearing was published by the City Clerk at least once in the Colorado Springs Gazette. Council may continue the hearing from time to time, and may hold such additional hearings as Council may deem appropriate.


Section 2. At the public hearing set in Section 1 of this Resolution, comment shall be solicited concerning: (a) the duration of the franchise term; (b) franchise fees payable to the City; (c) public, educational and governmental access channels, studios and equipment; (d)

desired system rebuild and upgrades; (e) expanded channel capacity; (f) customer service and customer rights, including subscriber agreements, maintenance of local offices, installation, reconnection, bad checks, changes in level of service, additional outlets, and remote control devices; (g) implementation of an institutional network; (h) service area and expansion thereof; (i) free service to public entities in the public interest; (j) removal of obsolete facilities; (k) ownership of cable in dwellings; (l) easement and right of way usage, including impact on public rights-of-way; (m) construction requirements, excavation permits, excavation fees, and notice of construction to residents; (n) undergrounding of cable wires and facilities; (o) relocation of system or portions thereof; (p) emergency notification; (q) termination of franchise; (r) "favored nation" provisions for benefit of City of Colorado Springs and its residents; (s) emergency uses of cable system; (t) as-built drawings and recordkeeping; (u) pole and conduit sharing provisions; (v) a la carte delivery of channel content, if allowed under applicable federal law; and (w) any other matter pertinent to a cable television franchise which is or may be appropriate for a renewal franchise, regardless of whether the matter is addressed in the current franchise.

DATED at Colorado Springs this 28th day of July, 2015.


Merv Bennett, Council President

ATTEST:


Sarah B. Johnson, City Clerk

