



Legislation Details (With Text)

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On agenda: **Final action:** 7/14/2014

Enactment date: 7/24/2014 **Enactment #:** 17846

Title: AN ORDINANCE authorizing the executive to enter into a renewal of a cable television franchise with Comcast of Washington IV, Inc. and Comcast Cable Holdings, LLC, for a period ending July 31, 2024.

Sponsors: Pete von Reichbauer, Jane Hague

Indexes: Cable TV, Franchises

Code sections:

Attachments: 1. Ordinance 17846.pdf, 2. A. Cable System Franchise, dated July 2014, 3. B. Letter Agreement dated July 2014, 4. A. Cable System Franchise, dated July 2014, 5. B. Letter Agreement dated July 2014, 6. A. Cable System Franchise, 7. 2013-0414 Fiscal note.xls, 8. 2013-0414 transmittal letter.docx, 9. 2013-0414 Map of Comcast Franchise Area.pdf, 10. 2013-0414 hearing notice.doc, 11. Staff Report Proposed Ordinance 2013-0414.docx, 12. A. Cable System Franchise, dated September 30, 2013, 13. Attachment 4 Uses of PEG Grant.docx, 14. Attachment 3 Letter Agreement.docx, 15. Attachment 2 Amendment 1 to 2013-0414.doc, 16. Revised Staff Report Proposed Ordinance 2013-0414.docx, 17. 2013-0414 Seattle Times Affidavit of Publication.pdf, 18. Staff Report 2013-0414 Cable Franchise Status Briefing.docx, 19. Staff Report 2013-0414 Cable Franchise Status Briefing.docx, 20. Staff Report 2013-0414 Cable Franchise Status Briefing.docx, 21. Attachment 4 2013-0414 Striking Amendment 1.docx, 22. Staff Report 2013-0414 Cable Franchise Agreement July 2 Mtg.docx, 23. Attachment 5 2013-0414 New Attachment A Cable Franchise Agreement July 2014.docx, 24. Attachment 6 2013-0414 New Attachment B INET Letter Agreement.docx, 25. Attachment 7 2013-0414 Title Amendment T-1.docx, 26. Revised Staff Report 2013-0414 Cable Franchise.docx

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------------------|--|--------|
| 7/14/2014 | 3 | Metropolitan King County Council | Hearing Held | |
| 7/14/2014 | 3 | Metropolitan King County Council | Passed | Pass |
| 7/2/2014 | 2 | Committee of the Whole | Recommended Do Pass Substitute Consent | Pass |
| 6/11/2014 | 2 | Committee of the Whole | Deferred | |
| 6/4/2014 | 2 | Committee of the Whole | Deferred | |
| 1/27/2014 | 2 | Metropolitan King County Council | Reintroduced | |
| 11/18/2013 | 2 | Metropolitan King County Council | Re-referred | |
| 10/14/2013 | 2 | Metropolitan King County Council | Deferred | |
| 10/14/2013 | 2 | Metropolitan King County Council | Hearing Held | |
| 9/30/2013 | 1 | Committee of the Whole | Passed Out of Committee Without a Recommendation | Pass |
| 9/23/2013 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 07/02/2014

AN ORDINANCE authorizing the executive to enter into a renewal of a cable television franchise with Comcast of Washington IV, Inc. and Comcast Cable Holdings, LLC, for a period ending July 31, 2024.

STATEMENT OF FACTS:

1. In accordance with K.C.C. chapter 6.27A, and the federal Cable Act, 47 U.S.C. Sec. 521 et seq., as well as regulations and orders issued by the Federal Communications Commission, King County is authorized to negotiate, award and renew nonexclusive franchise agreements with cable television companies.
2. It is in the interests of the residents of unincorporated King County that the county enters into franchise agreements with cable television companies that are willing to serve these residents.
3. County staff and the management of Comcast of Washington IV, Inc., a Washington corporation, and Comcast Cable Holdings, LLC, a Delaware limited liability company, doing business as Comcast ("Comcast"), have negotiated a ten-year renewal of a cable television franchise.
4. Previously Comcast held two separate franchise agreements with King County as an artifact of mergers and acquisitions of franchises over the years. Franchise agreement number 11680 and number 12132 are now combined into franchise number 5588 through this ordinance for ease of administration.
5. Comcast has been serving King County residents with cable television services since August 9, 2002, when King County enacted Ordinance 14446 approving the merger between AT&T Broadband, LLC and Comcast. Comcast currently provides cable television service to approximately fifty-four thousand households in unincorporated King County.
6. Comcast provides a quality cable television system, operating at 750 megahertz, delivering an all-digital signal to customers.

7. The county has conducted a needs assessment to identify future cable-related Public, Education and Government needs and interests of the county and its residents, has considered the financial, technical and legal qualifications of Comcast, and finds that consolidation and renewal of a nonexclusive franchise, in accordance with the terms of the franchise and franchise agreement in Attachment A to this ordinance, is consistent with the public interest.

8. The needs assessment identified the Institutional Network ("I-Net") as an essential part of King County's Public, Education and Government services as authorized under the federal Cable Act and regulations and orders issued by the Federal Communications Commission.

9. King County and Comcast have agreed that the optical fiber lease agreement between the parties remains in effect as evidenced by the Letter Agreement, Attachment B to this ordinance. The lease agreement is essential to operation of the I-Net.

10. The council has published its intent to consider the renewal of franchise 5588 in a local newspaper of broad public circulation.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council hereby authorizes the executive to enter into a renewal of cable television franchise 5588 held by Comcast of Washington IV, Inc. and Comcast Cable Holdings, LLC, in substantially the form of Attachment A to this ordinance for a term ending on July 31, 2024.

SECTION 2. The executive shall not sign the franchise renewal document unless and until an authorized representative of Comcast has signed the Letter Agreement. The Comcast representative that signs the Letter Agreement shall be the same person that signs the franchise renewal agreement.

Publish 2 consecutive days, last pub 5 days prior

Newspaper: seattle times

Publish: Monday/Tuesday, October 7-8, 2013