

5/11/94

38-R-94

A Resolution

To Provide for the Regulation
of Basic Cable Television Service
Tier Rates, Equipment, Installation,
And Service Charges

WHEREAS, on October 5, 1992, Congress enacted the Cable Television Consumer Protection and Competition Act which, among other things, provided that the basic service tier rates, and the charges for related equipment, installation, and services, for a cable television system (hereinafter "Basic Service Rates and Charges") shall be subject to regulation by a franchising authority in accordance with regulations prescribed by the Federal Communications Commission (hereinafter the "FCC"); and

WHEREAS, on April 1, 1993, the FCC prescribed such regulations in the Report and Order, In the Matter of Implementation of Sections of Cable Television Consumer Protection and Competition Act of 1992; Rate Regulation, MM Docket 92-266, FCC 93-177 (released May 3, 1993) (hereinafter the "FCC Rate Regulations"); and

WHEREAS, the City of Evanston is a franchising authority with the legal authority to adopt, and the personnel to administer, regulations with respect to the Basic Service Rates and Charges of any cable television system operating in the City, including, without limitation, the system currently being operated by Cablevision of Chicago pursuant to the Cable

Communications Franchise Agreement ("The Franchise"); and

WHEREAS, the City desires to regulate the Basic Service Rates and Charges of the Cablevision of Chicago and any other cable television system operating in the City and shall do so in accordance with FCC Rate Regulations, notwithstanding any different or inconsistent provisions in the Franchise;

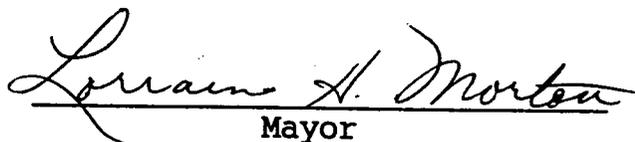
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the City will follow the FCC Rate Regulations in its regulation of the Basic Service Rates and charges of Cablevision of Chicago and any other cable television system operating in the City, notwithstanding any different or inconsistent provision in the existing Franchise or any other.

SECTION 2: That in connection with such regulation, the City will provide for a reasonable opportunity for consideration of the views of interested parties.

SECTION 3: The City Manager, or his designee, is authorized to execute on behalf of the City and file with the FCC such certification forms or other instruments as are now or may hereafter be required by the FCC Rate Regulations in order to enable the City to regulate Basic Rates and Charges.

SECTION 4: That this Resolution shall be in full force and effect from and after the date of its passage and approval in the manner provided by law.


Mayor

ATTEST:

Kristen F. Davis
City Clerk (M/M)

Adopted: May 23, 1994