

RESOLUTION #622 REGARDING CABLE FRANCHISING LEGISLATION

WHEREAS, for decades, municipalities across America have had the legal right to enter into franchise agreements with cable operators; and

WHEREAS, the local franchising process has benefited municipalities and consumers by ensuring that cable operators respond to local needs and interests; and

WHEREAS, these benefits include, but are not limited to, franchise fee revenue for use of the public rights-of-way; customer service standards; requirements that cable operators serve the entire community; public, educational and governmental (“PEG”) access channels; complimentary cable and internet services to community facilities; and municipal management of the public rights-of-way; and

WHEREAS, both the Pennsylvania Legislature and the United State Congress are considering legislation that would eliminate municipal franchising authority; and

WHEREAS, the legislation as drafted would significantly reduce franchise fee revenue by narrowing the definition of “gross revenues” subject to the franchise fee; eliminate local enforcement of customer service standards; repeal the current requirement that cable operators must serve the entire community; reduce PEG channel obligations, including local control and PEG support; abolish the granting of complimentary services; and limit local authority over the public rights-of-way; and

WHEREAS, such legislation would radically alter the regulatory framework for cable operators that has been in place for decades and would remove local needs and interests from the franchising process; and

WHEREAS, municipalities welcome competition in the cable industry and stand ready to negotiate franchise agreements with new cable operators in a timely fashion.

NOW THEREFORE BE IT RESOLVED, that Borough of Kulpmont hereby opposes both state and national franchising legislation currently being considered by the Pennsylvania State Legislature and the United States Congress; and

BE IT FURTHER RESOLVED that Borough of Kulpmont will send this resolution to all Pennsylvania State Representatives, all Pennsylvania State Senators, the Pennsylvania Congressional delegation, and the two U.S. Senators from Pennsylvania.

BE IT, AND THE SAME IS HEREBY RESOLVED, **this 13th day of June, 2006.**

ATTEST:

Frank Chesney
Borough Secretary

Nicholas P. Goretski, III.
President of Council

**SAMPLE LETTER TO YOUR STATE REPRESENTATIVE(S), STATE
SENATOR(S), MEMBER(S) OF CONGRESS, AND U.S. SENATORS**
RE: Opposition to State and National Cable Franchising Legislation

Dear:

For decades, municipalities across America have had the right to enter into franchise agreements with cable operators. This local franchising process has benefited local communities as well as cable customers. Legislation currently being considered by the Pennsylvania State Legislature and the United States Congress, however, would radically alter the regulatory framework that has been in place for decades by eliminating local franchising authority. This legislation would:

- Significantly reduce franchise fee revenue to municipalities by narrowing the definition of “gross revenues” subject to franchise fees.
- Eliminate local enforcement of customer service standards and place this function in a state or federal agency that has neither the resources nor the expertise to perform this function.
- Repeal the current requirement that cable operators must build out their system and serve the entire community, not just certain neighborhoods.
- Reduce the public, educational and governmental (“PEG”) channel obligations of cable operators, including local control and PEG support.
- Abolish the granting of complimentary cable and internet services for municipal and school facilities.
- Limit local authority over public rights-of-way with respect to cable and telecommunications operators.

For these reasons, we oppose the proposed legislation. Municipalities welcome competition in the cable industry and stand ready to negotiate franchise agreements in a timely fashion. We cannot, however, support legislation that removes local needs and interests from the franchise process. We respectfully request that you vote against this legislation.

Sincerely,

Nicholas P. Goretski, III
President of Council
Borough of Kulpmont

NPG/lmh