

RESOLUTION R-3848

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND TO PROVIDE FOR THE REGULATION OF BASIC SERVICE TIER RATES AND RELATED EQUIPMENT, INSTALLATION AND SERVICE CHARGES OF ANY CABLE TELEVISION SYSTEM OPERATING IN THE CITY OF KIRKLAND.

WHEREAS, on October 5, 1992, Congress enacted the Cable Television Consumer Protection and Competition Act of 1992 which, among other things, provided that the basic service tier rates, and the charges for related equipment, installation and services, of a cable television system shall be subjected 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 92-177, released May 3, 1993 (hereinafter the FCC Rate Regulations); and

WHEREAS, the City of Kirkland 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 Viacom Cablevision pursuant to Ordinance No. 2459; and

WHEREAS, the City of Kirkland has filed written certification with the FCC, which will enable the City to exercise its Basic Rate Regulation authority under the provision of the FCC Rate Regulations (47USCS§ 543), now therefore,

Be it resolved by the City Council of the City of Kirkland as follows:


Section 1. The City of Kirkland will adopt and administer Rate Regulation Rules in accordance with FCC Rules and Rate Regulations.

Section 2. The City of Kirkland has the legal authority to adopt, and the personnel to administer such rules and regulations.

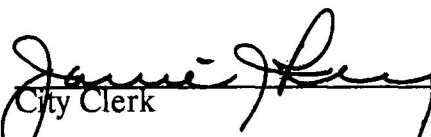
Section 3. The City of Kirkland will ensure that all procedures in rate regulation proceedings will provide a reasonable opportunity for consideration of the views of interested parties.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 2nd day of November, 1993.

Signed in authentication thereof this 2nd day of November, 1993.


MAYOR

Attest:


City Clerk