

ORDINANCE 93-7

CITY OF SKY VALLEY, GA.

AN ORDINANCE 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 SKY VALLEY.

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 (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 Regulations, MM Docket 92-266, FCC 93-177 (released May 3, 1993) (hereinafter the "FCC Rate Regulations"); and

WHEREAS, the City of Sky Valley (hereinafter, the "City") 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 Northland Cable Television (hereinafter "the Company") pursuant to unnumbered Ordinance dated April 24, 1981, as amended by that certain Ordinance 82-5, dated May 3, 1982 granting to Mountain View Enterprises, Inc. the authority to construct, operate and maintain a cable television system within the City, as amended by that certain Resolution 92-2, dated September 1, 1992 granting consent of the City to the transfer and assignment of the franchise from Mountain View to Northland Cable Television (hereinafter the "Franchise"); and

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

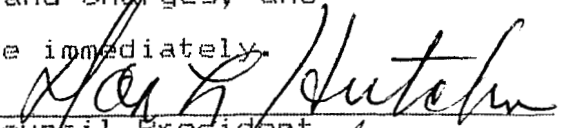
NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCILS OF THE CITY OF SKY VALLEY, THAT:

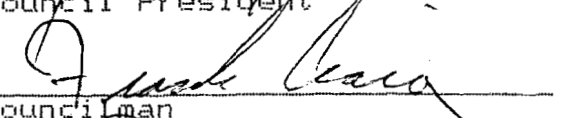
1. The City will follow the FCC Rate Regulations in its regulation of the Basic Service Rates and Charges of the Company and any other cable television system operating in the City, notwithstanding any different or inconsistent provisions in the Franchise; and

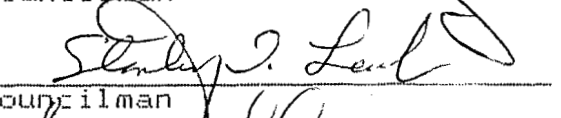
2. In connection with such regulation, the City will ensure a reasonable opportunity for consideration of the views of interested parties; and

3. The Cable Administrator, 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 Service Rates and Charges; and

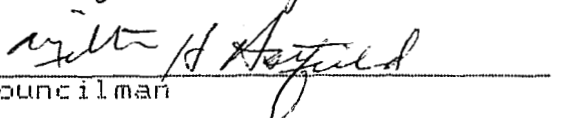
4. This Ordinance shall be effective immediately.

  
Council President

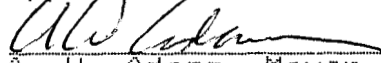
  
Councilman

  
Councilman

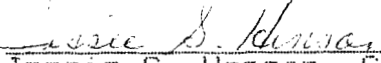
  
Councilman

  
Councilman

Approved:

  
A. W. Adams, Mayor

Attested:

  
Jessie S. Henson, City Clerk

Adopted: November 1, 1993