

ORDINANCE NO. 9394-34

AN ORDINANCE TO AUTHORIZE THE MAYOR TO FILE A COMPLAINT WITH THE FEDERAL COMMUNICATIONS COMMISSION TO PROVIDE FOR THE REGULATION OF CABLE PROGRAMMING SERVICE RATES

WHEREAS, on October 5, 1992, Congress enacted the Cable Television Consumer Protection and Competition Act of 1992 (hereinafter "Cable Act of 1992") which, among other things, provided that the cable programming service tier rates, and the charges for related equipment of a cable television system (hereinafter "Standard Service Rates and Charges") shall be subject to regulation by the Federal Communications Commission (hereinafter "FCC"); and

WHEREAS, the Cable Act of 1992 requires the FCC to establish procedures for the receipt, consideration, and resolution of complaints from any subscriber or franchising authority alleging that the Standard Service Rates and Charges are unreasonable; and

WHEREAS, the Federal Communications Commission (hereinafter "FCC") has issued regulations pursuant to the Cable Act of 1992 governing the regulation of Standard Service Rates and Charges (hereinafter "FCC Regulations"); and

WHEREAS, the City of Urbana (hereinafter "the City") is a franchising authority with respect to the system currently being operated by Time Warner Entertainment Company, L.P., a subsidiary of Time Warner, Inc. (hereinafter "the Company") pursuant to the Cable Television Franchise Extension Agreement dated June 22, 1993 (hereinafter "the Franchise"); and

WHEREAS, the City desires to file a complaint with the FCC alleging that the Standard Service Rates and Charges of the Company are unreasonable.

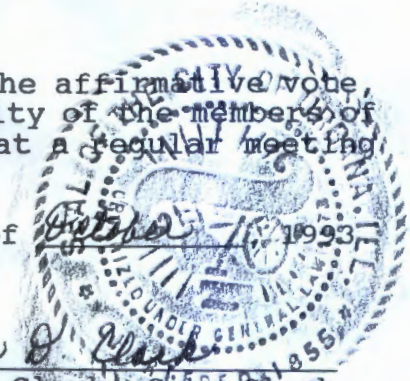
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City has reason to believe that the Standard Service Rates and Charges are unreasonable.

Section 2. That the Mayor is hereby authorized to execute on behalf of the City and to file with the FCC such complaint forms or other instruments as are now or may hereafter be required by the FCC Regulations in order to allege that the Standard Service Rates and Charges are unreasonable.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 4th day of October, 1993.



Phyllis D. Clark
Phyllis D. Clark, City Clerk
by Sharon Mangis, Deputy Clerk

APPROVED by the Mayor this 6th day of October, 1993.

Tod Satterthwaite
Tod Satterthwaite, Mayor