

RESOLUTION NO. CCCXXXVIII (338)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CANBY, OREGON, ESTABLISHING THE SCHEDULE
FOR RATES AND CHARGES FOR CABLE COMMUNICATIONS
SERVICE UNDER A NON-EXCLUSIVE FRANCHISE TO BE
GRANTED TO THE CANBY TELEPHONE ASSOCIATION

WHEREAS, the City Council is considering the granting of
a non-exclusive franchise to the Canby Telephone Association to
provide cable television service to the residences and
institutions of Canby; and

WHEREAS, Section 11 of Cable TV Enabling Ordinance No. 725
allows that one of the conditions in the granting of a cable
communications franchise may be the establishment by the Grantor,
on a not to exceed basis, the rates and charges associated with
cable television service; and specifies the procedures for the
petition by the Grantee for increase in service rates and
charges; and

WHEREAS, THE CANBY TELEPHONE ASSOCIATION, by its
acceptance of a cable communications franchise agrees to certain
service rates and charges, and guarantees these charges for a
specific period, as a condition of being granted the franchise to
serve the City of Canby; NOW, THEREFORE,

THE CANBY CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

Section 1. The Canby Telephone Association's schedule
of service rates and charges for subscribers, residential and
institutional, shall be as proposed in the Canby Telephone
Association's franchise application, except as modified herein.
Although the below listed rates provide for but one tier of Basic
service, Grantee may in the future provide Tiered Basic service
with prior approval of the City.

(A) The following rates and charges shall be effective
from Grantee's initial activation of service for a period of
three years from the effective date of the franchise:

Residential Service.

Basic Service:

Monthly Rate

Installation
Charge

First Outlet	\$ 8.95	\$ 20.00
Each Additional Outlet	3.20	8.00
F.M. - With Other Service	1.60	8.00
F.M. - Sole Service	6.00	20.00
Standard Converter	-0-	-0-
Cordless Remote Converter	1.00	-0-
Parental Control Device	-0-	-0-
Relocation of Outlet	---	12.00
Reconnection of Service	---	12.00

Premium Service:

Home Box Office (HBO)	\$ 9.95	\$ 8.00
Showtime	9.95	8.00
The Movie Channel	9.95	8.00
Home Theater Network Plus (HTN)	6.45	8.00

Premium Service Discount:

Any two above ----- Standard with \$2.00 discount
Any three above --- Standard with \$3.00 discount
Any four above ---- Standard with \$4.00 discount

There shall be no charge for installation of converters, standard or cordless, or for parental control devices, or for premium services when any of these are installed at the same time as Basic Service. At other times the charge is a maximum of \$15.00 per visit to the installation site for such installations.

There shall be no installation charges for any of the above services, except for underground installations as indicated below, during the first four weeks after service is initially offered to a resident.

Underground installations will be provided at the standard charges listed above plus \$25.00, e.g., during the first four weeks such service is offered, the cost for an underground installation shall be \$25.00.

Converter Deposit ---- None; however, subscribers with a history of converter damage may be charged a \$50.00 deposit. Such deposit shall be fully refundable subject to deduction therefrom for repair of damages other than that of normal wear, and for any unpaid service charges due.

A converter reported lost or

stolen will incur a replacement cost of wholesale price, or \$150.00 if a Premium service feature is involved, unless a police report is filed.

<u>Other Services:</u>	<u>Monthly Rate</u>	<u>Installation Charge</u>
Play Cable	\$ 15.95	\$ 25.00
Home Security	16.95	Time and Materials

(B) Installation of aerial drops in excess of 225 feet in length may be charged at a maximum of \$20.00 plus the cost of materials beyond 225 feet. Underground drops beyond 225 feet in length may be charged at a maximum of \$45.00 plus time and materials for that portion beyond 225 feet. Installation cost estimates shall be provided to potential subscribers in writing prior to installation where drops exceed 225 feet.

(C) All rates and charges prescribed herein are guaranteed by Grantee as fixed for a period of thirty-six months from the effective date of the Franchise Agreement.

Section 2. All other service rates and charges and/or determination of same will be in accordance with the specifications and spirit of the Franchise Agreement which includes this resolution.

Section 3. The Grantee shall coordinate with the local media to see that a comprehensive program guide is made available to subscribers. In the event the media does not make such a guide available, Grantee will make every reasonable effort to provide printed guides through convenient commercial outlets such as supermarkets and an electronic guide on an available channel or channels so that programming information is available to subscribers.

Section 4. All private and public schools, with an enrollment of fifty (50) or more students, and city government buildings, will be provided free Basic service connection and free Basic service for educational purposes; except, however, such users shall be responsible for converters in the same manner as subscribers.

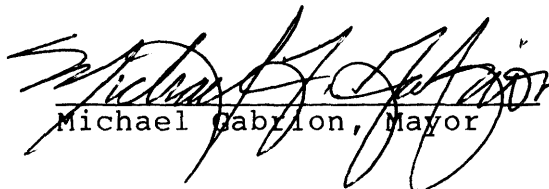
Each city government building shall receive one (1) drop and one (1) outlet. Each public school with an enrollment of fifty (50) or more students shall receive three (3) drops and three outlets. Chosen drop locations should be at reasonably

accessible locations. Any additional drops will be on a time and materials cost basis. The City or entity involved will provide whatever easements may be necessary for Grantee to provide such service.

Section 5. There will be no charge or fees for drop installation, operation and maintenance of bi-directional services for city government agencies for telemetry, data, audio, electronic mail, and other cable communications services carried on Grantee's system in conjunction with the bandwidth requirements set forth in Subsection 3 (A) of the City's Resolution No. 337.

Section 6. The Grantor acknowledges that federal regulations pre-empt the regulation of rates and charges for services other than Basic service; however, the Grantee acknowledges that the rate guarantee period is as proposed in Grantee's franchise application and all proposed rates and charges are included under the guarantee.

20th PASSED by the City Council and approved by the Mayor this
day of April, 1983.


Michael Gabrion, Mayor

ATTEST:


Marilyn K. Perkett, Deputy Recorder