

RESOLUTION 147

Authorizing the petition for certification from the Federal Communications Commission to permit the City of Chesterfield to regulate rates for cable services in accordance with provisions of all applicable federal laws, including the statute known as the "Cable Television Act of 1992".

WHEREAS, The Cable Television Consumer Protection and Competition Act of 1992 provided that the rates of every cable system not subject to effective competition shall be subject to regulation by the Federal Communications Commission ("FCC") or by a franchising authority certified by the FCC as authorized under the Cable Act; and

WHEREAS, the 1992 Act provides that the franchising authority, under certain terms and conditions, may file with the FCC to receive written certification to enforce the regulations prescribed by the FCC and regulate the rates for certain services; and

WHEREAS, the Franchise Authority has reason to believe the FCC's presumption that cable systems do not face effective competition is correct, and no reason to believe it is incorrect within the City of Chesterfield; and

WHEREAS, pursuant to the existing cable franchise ordinances 412 and 413, the City Council of the City of Chesterfield, as the Franchise Authority has the responsibility for overseeing the implementation of the franchise; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

The Franchise Agency is hereby authorized and directed and empowered to:

1. Take all steps appropriate to file a written certification to the Federal Communications Commission affirming that the City of Chesterfield:
  - a) will adopt and administer rate regulation rules which accord with federal rules and regulations; and
  - b) has the legal authority to adopt, and the personnel to administer such rules and regulations; and
  - c) will ensure that the rate regulation procedure provides a reasonable opportunity for the consideration of the views of interested parties; and

