

RESOLUTION 169**A RESOLUTION FOR JOINT CABLE RATES WITH THE CITIES OF BALLWIN, AND TOWN & COUNTRY FOR UNITED VIDEO FRANCHISE.**

WHEREAS, the 1992 Cable Act authorizes local franchising authorities to regulate rates for cable service or any other communications service provided to cable subscribers under 47 U.S.C. Section 543; and

WHEREAS, the Federal Communications Commission has promulgated certain rules for certification of the franchising authority to regulate basic services rates under 47 CFR Section 76.910; and

WHEREAS, among these rules is a provision that franchising authorities can apply for joint certification and can jointly regulate franchises in order to realize efficiencies and achieve cost effective regulatory methods and procedure; and,

WHEREAS, such joint certification does not require that rates be uniform among participating franchise authorities, and that jointly certified franchising authorities can make independent rate decisions; and,

WHEREAS, the City of Chesterfield can reasonably expect to achieve efficiencies by sharing costs of data collection personnel time and other associated regulatory expenses with other participating municipalities; and,

WHEREAS, the Cities of Ballwin and Town & Country have expressed a willingness to participate in a joint venture to achieve the efficiencies and other benefits of joint certification.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

The City of Chesterfield, as the Franchise Authority, is hereby authorized and directed and empowered to apply for joint certification in concert with the cities of Ballwin and Town & Country to regulate basic cable service rates as permitted by the provisions of the Cable Act of 1992 and 47 CFR Section 76.912.

The Mayor shall appoint five members to the Joint Cable Regulatory Board which is hereby established with the City of Ballwin who shall have two members and the City of Town & Country who shall have two members. The members from the City of Chesterfield shall serve three year terms.

