

August 24, 1994

INTRODUCED BY KENT PULLEN

PROPOSED NO. 94 - 549

ORDINANCE NO. 11453

1 AN ORDINANCE relating to cable communications,
2 granting the extension of cable television franchises
3 to TCI of Auburn, Inc., TCI of Seattle, Inc., TCI
4 Cablevision of Southwest Washington, Inc., and
5 declaring an emergency.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Findings of Fact: A. TCI of Auburn, Inc., TCI of
8 Seattle, Inc., and TCI Cablevision of Southwest Washington, Inc.,
9 (TCI), currently hold cable television franchises granted by King
10 County to provide cable television service in the county. These
11 franchises will expire on September 1, 1994.

12 B. Adoption of this ordinance on an emergency basis will
13 ensure that the franchises are extended prior to the expiration of
14 the current franchises and will thereby preserve the legal status,
15 rights and responsibilities of the county and TCI.

16 C. The county and TCI are in the middle of a formal franchise
17 renewal process; TCI has submitted to the county a franchise
18 renewal proposal, the executive has made a preliminary decision to
19 not renew the franchises, and TCI has appealed this decision to the
20 King County hearing examiner.

21 D. TCI has also requested that its franchises be extended until
22 either the hearing examiner issues a decision or the county renews
23 the franchises.

24 E. The county wants to extend these franchise to facilitate an
25 orderly review of franchise renewals.

26 F. The council has determined that it is in the best interest
27 of the citizens of King County to grant the franchise extensions
28 listed below.

29 SECTION 2. The council hereby grants TCI of Auburn, Inc. an
30 extension of franchise numbers 565a, 591, and 1209 until the earlier
31 of sixty (60) days after the King County hearing examiner's written
32 decision on TCI of Auburn, Inc.'s renewal proposal or King County's
33 renewal of these franchises.

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2 SECTION 3. The council hereby grants TCI of Seattle, Inc. an
3 extension of franchise numbers 547, 551, 552, 553, 562, 599, and 609
4 until the earlier of sixty (60) days after the King County hearing
5 examiner's written decision on TCI of Seattle, Inc.'s renewal
6 proposal or King County's renewal of these franchises.

7 SECTION 4. The council hereby grants TCI Cablevision of
8 Southwest Washington, Inc. an extension of franchise number 565 until
9 the earlier of sixty (60) days after the King County hearing
10 examiner's written decision on TCI Cablevision of Southwest
11 Washington, Inc.'s renewal proposal or King County's renewal
12 of these franchises.

13 SECTION 5. These extensions are granted subject to the
14 condition that if within thirty (30) days of the council's passage
15 of this ordinance a franchisee fails to sign a franchise extension
16 agreement in substantially the form contained in Exhibit A, which
17 agreements are attached to and a part of this ordinance, the
18 franchise extension for that company shall be deemed to be denied and
19 any extension granted to that company by this ordinance shall be null
20 and void.
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2 SECTION 6. The county council finds as a fact and declares that
3 an emergency exists and that this ordinance is necessary for the
4 immediate preservation of the public peace, health or safety or for
5 the support of county government and its existing public
6 institutions.

7 INTRODUCED AND READ for the first time this 29th
8 day of August, 1994.

9 PASSED this 29th day of August, 1994.

10 KING COUNTY COUNCIL
11 KING COUNTY WASHINGTON

12 Passed by a vote of 12-0.

13 Kent Pullen
14 Chair

15 ATTEST:

16 Gerald A. Peterson
17 Clerk of the Council

18 APPROVED this 8th day of Sept September, 1994.

19 Ang Loh
20 King County Executive

21 Attachments: Three Franchise Extension Agreements
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FRANCHISE EXTENSION AGREEMENT

11453

WHEREAS, TCI of Auburn, Inc. currently holds franchise numbers 565a, 591, and 1209 granted by King County, Washington for the operation of a portion of its cable television system in unincorporated King County; and

WHEREAS, these franchises are scheduled to expire on September 1, 1994; and

WHEREAS, TCI of Auburn, Inc. has requested that franchise numbers 565a, 591, and 1209 be extended; and

WHEREAS, through the passage of Ordinance No. 11453 subject to the conditions contained in the ordinance and this agreement, King County has approved the extension of these franchises until the earlier of sixty (60) days after the King County hearing examiner's written decision on TCI of Auburn, Inc.'s renewal proposal or King County's renewal of these franchises.

NOW, THEREFORE, King County, Washington and TCI of Auburn, Inc. agree as follows:

1. The term of King County cable television franchise numbers 565a, 591, and 1209 are hereby extended so that they will now expire on the earlier of sixty (60) days after the King County hearing examiner's written decision on TCI of Auburn, Inc.'s renewal proposal or King County's renewal of these franchises.

2. All other conditions of King County cable television franchise numbers 565a, 591, and 1209 shall remain in full force and effect are not modified by this agreement or by Ordinance No. 11453.

THIS AGREEMENT entered into this _____ day of _____, 199_____.

TCI OF AUBURN, INC.

KING COUNTY, WASHINGTON

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved as to Form:

Deputy Prosecuting Attorney

FRANCHISE EXTENSION AGREEMENT

11453

WHEREAS, TCI of Seattle, Inc. currently holds franchise numbers 547, 551, 552, 553, 562, 599, and 609 granted by King County, Washington for the operation of a portion of its cable television system in unincorporated King County; and

WHEREAS, these franchises are scheduled to expire on Setember 1, 1994; and

WHEREAS, TCI of Seattle, Inc. has requested that franchise numbers 547, 551, 552, 553, 562, 599, and 609 be extended; and

WHEREAS, through the passage of Ordinance No. 11453 subject to the conditions contained in the ordinance and this agreement, King County has approved the extension of these franchises until the earlier of sixty (60) days after the King County hearing examiner's written decision on TCI of Seattle, Inc.'s renewal proposal or King County's renewal of these franchises .

NOW, THEREFORE, King County, Washington and TCI of Seattle, Inc. agree as follows:

1. The term of King County cable television franchise numbers 547, 551, 552, 553, 562, 599, and 609 are hereby extended so that they will now expire on the earlier of sixty (60) days after the King County hearing examiner's written decision on TCI of Seattle, Inc.'s renewal proposal or King County's renewal of these franchises.

2. All other conditions of King County cable television franchise numbers 547, 551, 552, 553, 562, 599, and 609 shall remain in full force and effect are not modified by this agreement or by Ordinance No. 11453 .

THIS AGREEMENT entered into this _____ day of _____, 199_____.

TCI OF SEATTLE, INC.

KING COUNTY, WASHINGTON

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved as to Form:

Deputy Prosecuting Attorney