CLACKAMAS COUNTY

Debbie McCoy
Manager

CABLE COMMUNICATIONS
PUBLIC SERVICES BUILDING
2051 KAEN ROAD OREGON CITY, OR 97045

March 19, 2015

Board of County Commissioners
Clackamas County

Members of the Board:

BOARD ORDER IN THE MATER OF APPROVING AN EXTENSION OF THE CABLE TELEVISION FRANCHISE WITH COMCAST OF OREGON II, INC., COMCAST OF TUALATIN VALLEY, INC., AND COMCAST OF ILLINOIS/OHIO/OREGON, LLC.

Purpose/Outcome	Extend current cable television franchises to allow time for evaluation and negotiations.
Dollar Amount and Fiscal Impact	N/A
Funding Source	N/A
Safety Impact	None
Duration	Effective March 22, 2015 through September 22, 2015
Previous Board Action/Review	The original franchise agreements were approved by Board Order No. 2010-16 on February 18, 2010.
Contact Person	Debbie McCoy, Cable Communication Manager – 503-742-5902
Contract No.	N/A

BACKGROUND:
Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc. and Comcast of Illinois/Ohio/Oregon, LLC. (Comcast collectively) Cable Franchise Permit Agreements will expire on March 22, 2015. Comcast is currently serving over 20,000 subscribers in unincorporated areas of Clackamas County and the County is currently negotiating a renewal of the cable franchises with Comcast.

This extension, if granted, would not affect either party's rights in the renewal process and includes a provision to preserve the County's right to retroactive

PEG funding negotiated in the renewal. The County will evaluate Comcast's legal, technical and financial qualifications to operate the cable system, as well as the community's needs, in its determination of whether to renew the franchise and on what terms and conditions.

This cable franchise agreement extension has been reviewed and approved by County Counsel.

RECOMMENDATION:
Staff respectfully recommends the Board approve the extension of the franchise permit agreements to assure that the terms of the current franchise agreements continue to be met through September 22, 2015.

Respectfully submitted,

Debbie McCoy, Manager
Cable Communications

For information on this issue or copies of attachments, please contact
Debbie McCoy at (503)742-5902

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the matter of approving an Extension of the cable television Franchise with Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC	}	ORDER NO.

This matter coming before the Clackamas County Board of Commissioners at its regularly scheduled public meeting on March 19, 2015 to consider approving an extension of the cable television franchises with Comcast of Oregon II, Inc., an Oregon corporation, Comcast of Tualatin Valley, Inc., an Oregon corporation, and Comcast of Illinois/Ohio/Oregon, LLC, a Delaware limited liability company (collectively, the "Franchisees")..

WHEREAS, Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC hold cable franchises with Clackamas County, which is due to expire on March 22, 2015; and

WHEREAS, County staff and representatives of the Franchisees began meeting in the fall of 2014 to negotiate open issues regarding the renewal of the applicable franchises; and

WHEREAS, the amount of time required to conclude negotiations and allow for public review of new franchise agreements will extend beyond the current expiration date; and

WHEREAS, it is in the public interest to extend the current franchises for an additional period of time to accommodate the renewal process and avoid a potentially unnecessary disruption of service to affected residents.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT the franchises granted to Comcast II of Oregon, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC shall be extended until and including September 22, 2015, and that all rights and obligations provided the parties under the franchise agreement shall remain in full force and effect during that period, including the rights of the parties under the Cable Communications Policy Act of 1992 and the Telecommunications Act of 1996. Neither Comcast nor the County shall assert any claim, denial or defense based upon the original expiration date of the Franchise Agreement, excepting therefrom that the County may assert in negotiations that any increase in PEG funding included in the new franchise agreement shall include the time period covered by this extension. This extension of franchises is explicitly conditioned upon written acceptance thereof by each of the Franchisees.

DATED THIS _____ DAY OF MARCH, 2015.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

_____
Chair

_____
Recording Secretary