RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. <u>19988</u>

A RESOLUTION ESTABLISHING A CABLE TELEVISION SERVICE FEE PER SUBSCRIBER PER MONTH FOR SUPPORT OF PUBLIC, EDUCATIONAL, AND GOVERNMENT ACCESS PROGRAMMING

WHEREAS, Section 3.17 of the Franchise Agreement between the City (Franchising Authority) and Bresnan Communications, LLC (Grantee) allows the City to set a Cable Television Service Fee of up to thirty-five cents ($0.35) per subscriber per month for the support of public, educational, and government access programming; and

WHEREAS, the Franchise Agreement requires a resolution separate from the Franchise Agreement to be provided to the Grantee in order to invoke such a fee; and

WHEREAS, Section 3.17.C. of the Franchise Agreement provides the Grantee with discretion to apply the fee; and

WHEREAS, in order to continue and enhance service, the public, educational, and government access programming services need significant additional funding in order to convert from analog to high definition services; and

WHEREAS, a public hearing was held on this resolution on the **11th day of March, 2013,** in the Commission Chambers at 316 North Park Avenue in Helena, Montana.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. 19988

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. In accordance with Section 3.17 of the Franchise Agreement, the City of Helena, as the Franchising Authority, establishes a thirty-five cent ($0.35) per subscriber per month fee for the support of public, educational, and government access programming, and requires the Grantee to collect this fee and pay it to the Franchising Authority.

Section 2. The Franchising Authority requests that the Grantee apply this fee to all cable television customers when the Grantee uses its billing discretion.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 11th DAY OF MARCH, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION

2