

**ORDINANCE NO. 0-93-4**

**AN ORDINANCE AUTHORIZING THE MAYOR TO FILE F.C.C. FORM 328 "CERTIFICATION OF FRANCHISING AUTHORITY TO REGULATE BASIC CABLE SERVICE RATES AND INITIAL FINDING OF LACK OF EFFECTIVE COMPETITION" WITH THE FEDERAL COMMUNICATIONS COMMISSION ON SEPTEMBER 1, 1993;**

WHEREAS, the City of Arkadelphia has entered into a franchise agreement with the Cable TV cable company to provide cable television service to the people of the City of Arkadelphia, and;

WHEREAS, the Congress of the United States passed the "Cable Television Consumer Protection and Competition Act of 1992" and this bill passed the House and the Senate; was vetoed by then President George Bush, and the President's veto was overridden in both the House and Senate by more than a two-thirds vote and became law despite the President's veto, and;

WHEREAS, this law is under the Federal Communications Commission and the F.C.C. has adopted rules and regulations regulating local cable television companies but has delegated to local franchising authorities (the City of Arkadelphia) to regulate the basic tier of rates for Cable Television Services, and;

WHEREAS, the F.C.C. has frozen local cable television rates until November 15, 1993, and;

WHEREAS, our city may seek certification to regulate the basic tier of rates beginning on September 1, 1993, and;

WHEREAS, certification is effective 30 days after the date the F.C.C. receives a form 328 mailed by the city by registered mail with return receipt requested, and;

WHEREAS, if the local cable television company rates are 10% or more above the F.C.C.'s benchmark the rates can be rolled back 10% with refund of all excessive rates back to September 30, 1992 or a maximum of one year.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:**

SECTION I. That the Mayor is hereby authorized and directed to file two completed F.C.C. Forms 328 by registered mail (not certified mail) with return receipt requested to:

Federal Communications Commission  
Cable Franchising Authority Certification  
P.O. Box 18539  
Washington, D.C. 20036

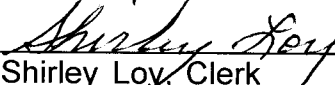
SECTION II. The Mayor is further directed to mail a completed copy of this form 328 to our local cable operator at the address listed on the form by certified mail, return receipt requested, on the same day copies are mailed to the F.C.C.

PASSED THIS 16th DAY OF SEPTEMBER, 1993.

APPROVED:

  
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Kitty Holland, Mayor

ATTEST:

  
\_\_\_\_\_  
Shirley Loy, Clerk