



CITY OF BRENTWOOD

ROGER A. HORNER
CITY ATTORNEY

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July 11, 2008

Tennessee Regulatory Authority
ATTN: Docket Room (08-00115)
460 James Robertson Parkway
Nashville, Tennessee 37243

RE: AT&T Application for Certificate of Franchise Authority; Notice to TRA Regarding PEG channels

The City of Brentwood has received a copy of the application for a state-issued certificate of franchise authority filed by BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee, dated July 1, 2008. We have also received the Tennessee Regulatory Authority's letter dated July 3, 2008, referencing the AT&T application and requesting certain information regarding activated PEG channels and terms of any PEG support payments provided by the incumbent service provider. In response, we are providing the following information:

- Cable television service is currently provided throughout the City of Brentwood ("the City") under a franchise held by Comcast Cablevision of Nashville II, L.L.C. ("Comcast.")
- The terms of the franchise require Comcast to provide two PEG channels for the City's use, and there are currently two such PEG channels in use.
- Comcast is required to allow each customer within the City the option to voluntarily pay a contribution of \$.50 per month in support of PEG programming.
- Comcast is required to provide service, without charge, to public educational institutions and governmental buildings within the City, including basic cable, all news channels and all PEG channels.

Pertinent provisions from the Brentwood Municipal Code and the City's franchise agreement with Comcast are included with this letter. Please let us know if any further information is needed.

Sincerely,

Roger A. Horner

Public, Educational and Governmental ("PEG") Channel/Service Requirements Applicable to Comcast in the City of Brentwood

Brentwood Municipal Code, Section 20-18:

Sec. 20-18. Service to government buildings.

The grantee shall, upon request therefor, provide and furnish without charge to all public educational institutions and governmental buildings within the service area and within 150 feet of a public street, one service outlet, provided that the city shall assist with the coordination of placement of cable lines along the existing public right-of-way to avoid conflict with existing utilities. The institutions shall be entitled to receive the grantee's basic cable service, all news channels and all public, educational and governmental channels.

Brentwood Municipal Code, Section 20-30:

Sec. 20-30. Public educational and governmental access channels and emergency broadcast services.

(a) The grantee shall provide, without charge and subject to the rules and regulations of the FCC, public emergency broadcast capabilities whereby the city can interrupt service and/or insert announcements on all channels in order to make such public emergency communications as it deems necessary.

(b) At such time as the grantee's cable plant attains the channel capacity requirements of section 20-16¹, the grantee shall reserve a minimum of two channels for public, educational and governmental (PEG) access use. Such channels shall be dedicated exclusively and subject to the exclusive control of the city; however, with prior approval of the city, such channels may be used by the grantee for other purposes when not required by PEG users. The grantee shall make available to PEG users, subject to advance scheduling and during the grantee's normal business hours, its modulators, override equipment and tape playback equipment at no charge. The city or its designee shall assume responsibility for regulation and/or scheduling the use of PEG channels by any and all users.

(c) The franchise agreement may require the provision by the grantee of such additional services, facilities or equipment for PEG use as may be agreed upon by the city and the grantee.

Franchise Agreement, Section 10:

10. Public, educational and governmental access channels. At such time as the Grantee is required by the Cable Television Franchise Ordinance to reserve a minimum of two channels for public, educational and governmental (PEG) access use, such channels, or at least the two channels required, shall be included in the Grantee's basic cable service. Until such time, the Grantee shall continue to make the existing local educational channel available within its service area without interruption. To further provide for PEG programming, the Grantee shall furnish its ongoing support and shall submit an annual report indicating the type, amount and recipients of any donations of funds, equipment, materials or labor to benefit PEG programming efforts. Said report shall be filed with the City Manager at the same time as the filing of the certification of gross revenues required under the Cable Television Franchise Ordinance. Furthermore, the Franchisee shall allow each customer the option to voluntarily pay an additional amount for support of PEG programming. The amount of such optional monthly customer contribution shall be fifty cents (\$.50). Such amounts shall be designated as a separate line item on customer billings and shall be collected and forwarded to the City each month. All existing customers shall be advised in writing of the program prior to implementation, which shall take effect with billings after June 30, 1993. New customers shall be advised of the program upon applying for service. Contributions so received shall be separated from other revenues collected by the City and shall be designated for PEG programming and expended pursuant to the approval of the Board of Commissioners.

¹ Section 20-16 provides that the cable television system must carry at least 54 channels within three years after the effective date of a franchise agreement.

RHEUBIN McGHEE TAYLOR
COUNTY ATTORNEY

DAVID W. NORTON
ASSISTANT COUNTY ATTORNEY

MARY NEILL SOUTHERLAND
ASSISTANT COUNTY ATTORNEY



HAMILTON COUNTY GOVERNMENT
OFFICE OF THE COUNTY ATTORNEY
T.R.A. DOCKET ROOM

July 14, 2008

CLAUDE RAMSEY
COUNTY MAYOR

BOARD OF COMMISSIONERS
CURTIS D. ADAMS
GREG BECK
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RICHARD CASAVANT
JIM M. COPPINGER
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WARREN MACKEY
FRED D. SKILLERN

Ms. Lisa Cooper
TRA Programs Manager
Tennessee Regulatory Authority
ATTN: Docket Room (08-00115)
460 James Robertson Parkway
Nashville, TN 37243

VIA TELEFAX: (615) 741-5015/ORIGINAL BY MAIL

**RE: Public, Educational, and Governmental ("PEG") Access Channels provided to
Hamilton County, Tennessee**

Dear Ms. Cooper:

This letter is in response to your notice of July 3, 2008, to Hamilton County Mayor Claude Ramsey wherein you put Hamilton County on notice of BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee's application for a state-issued certificate of franchise authority to provide cable or video service within Hamilton County.

In said notice you further advised that Hamilton County needed to comply with the provisions of Section 10(a) of the Competitive Cable and Video Services Act by providing TRA with the number of PEG access channels that have been activated and/or authorized pursuant to Hamilton County's franchise agreement with Comcast Cable Television (the cable service provider with the most subscribers in Hamilton County).

Accordingly, you will find attached to this letter Comcast's response to Hamilton County's request that Comcast provide us (for forwarding on to your Authority) with said information.

Please advise the undersigned as to whether this information complies with the requirements of CCVSA. If not, so advise and I will be happy to provide whatever is required.

Very truly yours,

A handwritten signature in black ink that reads "Rheubin M. Taylor".
Rheubin M. Taylor

Attachment (Memorandum from Comcast dated July 11, 2008)
Cc: Mr. Russell E. Byrd, of Comcast (via telefax: (865) 862-5091)



MEMORANDUM

DATE: July 11, 2008

TO: Rheubin M. Taylor

FROM: Russell E. Byrd

RE: Comcast Public, Educational, and Government ("PEG") Franchise Obligations in Hamilton County, Tennessee

Pursuant to the Competitive Cable and Video Services Act (the "CCVSA"), which was enacted on July 1, 2008, once a local government receives notice from a cable or video services provider that an application for a state-issued certificate of franchise authority has been filed, local governments are required to provide certain information to the Tennessee Regulatory Authority related to PEG access channels provided by the incumbent provider that have been activated and are authorized to be activated and the amount of any fee or other payment for PEG support required under the terms of the franchise agreement with the incumbent cable service provider with the most subscribers in the municipality or county on January 1, 2008, whether or not such agreement had expired. *See* CCVSA § 10.

Accordingly, Comcast's PEG obligations pursuant to the Franchise Agreement with Hamilton County, are:

1. The number of activated PEG channels for Hamilton County are, as well as the number authorized to be activated, if different.

Response: Section 11 (p.4) "Grantee shall provide one (1) local access channel for government access and other uses, and shall provide such additional channels as the commission may at any future time deem technically feasible and economically reasonable and, may provide for such further local access channels as are deemed feasible and practical by Grantee."

2. The terms of any PEG support payments being provided by Comcast to Hamilton County.

Response: None

If you have any questions or require further assistance, please do not hesitate to contact me at 865-862-5001.



City of Lakeland

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2008 JUL 15 AM 9:09

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July 11, 2008

Tennessee Regulatory Authority
Attn: Docket Room (08-00115)
460 James Robertson Parkway
Nashville, TN 37243

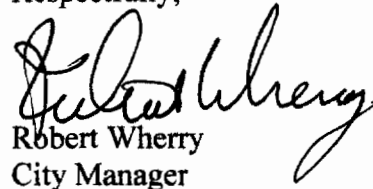
RE: **NOTICE** of TRA Receipt of Application for Certificate of Franchise Authority
and **OFFICIAL REQUEST** for Information dated July 3, 2008

We are writing in response to your request regarding the number of activated PEG channels in the City of Lakeland. Currently, there are four (4) active channels – Channels 17, 18, 19, and 21. City of Lakeland Ordinance No. 188 provides for “at least one (1) specially-designated, channel for use by non-commercial public access” and “at least one (1) specially-designated channel for local government uses”.

There are no PEG support payments being provided by the incumbent service provider. According to Franchise Agreement dated July 21, 1997, “Franchisee shall pay Franchisor on a quarterly basis, a franchise fee equal to five (5) percent of Franchisee’s gross revenue from the cable operation of the Franchisee within the confines of the city or contract area.

Please let us know if we can provide additional assistance regarding your request.

Respectfully,


Robert Wherry
City Manager