

**THE CITY OF CAMDEN
110 HWY 641 SOUTH
P.O.BOX 779
CAMDEN, TENNESSEE 38320
PHONE 731-584-4656
FAX 731-584-1781**

RECEIVED
2008 OCT -1 AM 10:30
T.R.A. DOCKET ROOM

September 24, 2008

Tennessee Regulatory Authority
ATTN: Docket Room (08-00169)
460 James Robertson Parkway
Nashville, Tennessee 37243

RE: Notice of TRA Receipt of Application for Certificate of Franchise Authority
And Official Request for information.

To whom it may Concern:

Enclosed please find the requested information:

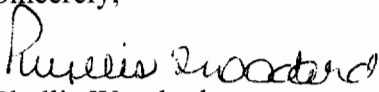
- A copy of the Franchise fee payment received by City 03/03/08 showing franchise fee
- A copy of the listing of channels provided
- A copy of the original contract and ordinance providing service to all public schools
Without charge
- A copy of the amendment to the original contract

Also the City receives free service at the following City buildings:

- City Hall – 110 Hwy 641 South – Camden, TN.
- Public Safety Building – 119 W. Main St. – Camden, TN.
- City Street & Sanitation Dept – 146 Willow St. – Camden, TN.

If you need any further information please contact me.

Sincerely,


Phyllis Woodard
City Clerk/Recorder

TENNESSEE REGULATORY AUTHORITY



Tre Hargett, Chairman
Eddie Roberson, Director
Sara Kyle, Director
Mary Freeman, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

September 19, 2008

City of Camden
ATTN: Mayor Jim Travis
110 Hwy. 641 South
Camden, TN 38320

RE: **NOTICE** of TRA Receipt of Application for Certificate of Franchise Authority and
OFFICIAL REQUEST for Information

Dear Mayor Travis:

On July 1, 2008, Public Chapter 932,¹ also known as the Competitive Cable and Video Services Act (the "CCVSA"), which was enacted by the 105th Tennessee General Assembly became effective. Pursuant thereto, on September 9, 2008, the Tennessee Regulatory Authority ("TRA" or "Department") received an application for a state-issued certificate of franchise authority to provide cable or video service in your municipality or unincorporated area from Charter Communications Operating LLC ("Charter").

In addition to conferring certain benefits, the CCVSA imposes specific obligations upon applicants, municipalities and counties, and the TRA. First, pursuant to § 6(a) and § 18(1) of the CCVSA, the applicant/service provider is required to provide a notice, contemporaneously with the filing of its application for a state-issued certificate of franchise authority with the TRA, to the local governments encompassed within its intended service area. Therefore, as an initial matter, you should have already received a notice from Charter advising that it has filed such an application with the TRA.

Next, in order for the affected local governments to receive or continue receiving certain benefits related to public, educational, and governmental ("PEG") access channels, § 10(a) of the CCVSA states,

A county or municipality shall, within ten (10) days following receipt of an application for a state-issued certificate of franchise authority from a cable or video service provider seeking approval to provide cable or video service to the county or municipality, provide notice to the [TRA] regarding the number of [PEG] access channels. . . 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. . ."²

Further, § 15(b)(1) of the CCVSA requires the TRA upon receipt of an application for a state-issued certificate of franchise authority to notify all municipalities or counties identified as part of the applicant's service area to obtain certain information related to PEG access channels. The TRA is required to "compile and keep current the information it receives from municipalities, counties, or local governments for the use of holders of state-issued certificates of franchise authority"³ and the Tennessee General Assembly.

IT IS IMPORTANT TO NOTE THAT, according to the CCVSA, if a municipality or county fails to provide PEG information after being requested to do so by the TRA, a holder of a state-issued certificate of

¹ 2008 Tenn. Pub. Acts 932.

² CCVSA § 10(a).

³ CCVSA § 15 (b)(2).

franchise authority shall not be held in violation or noncompliance with the requirements of § 10 of the CCVSA, as to any such municipality or county, until the TRA has received the information requested and the holder has been given adequate time to comply with such PEG provisions.⁴ A notice in compliance with the requirements of § 10(a) of the CCVSA acts to trigger the franchise authority holder's obligation to make PEG access support payments,⁵ starts the clock running on the deadline for designating PEG channels,⁶ and initiates any other duties or obligations required of the state-issued franchise authority holder encompassed within § 10 of the CCVSA.

In light of the provisions of the CCVSA noted above, it is imperative that you respond promptly to this Notice by providing the TRA with the following information:

- (A) **The number of activated PEG channels for such municipality or county, as well as the number authorized to be activated, if different; and**
- (B) **The terms of any PEG support payments being provided by the incumbent service provider.⁷**

Please send the above information to:

**Tennessee Regulatory Authority
ATTN: Docket Room (08-00169)
460 James Robertson Parkway
Nashville, TN 37243**

If you have already forwarded this information to the TRA upon receipt of the notice from the applicant service provider in accordance with § 10(a) of the CCVSA, please disregard this request. Should you have any questions or concerns regarding this matter, please feel free to contact me at (615) 741-2904 x150 or at the address listed above. Thank you for your cooperation and prompt attention in this matter.

Sincerest Regards,



Lisa Cooper
TRA Programs Manager

⁴ CCVSA § 15 (b)(2).

⁵ See, CCVSA § 10(j).

⁶ Pursuant to § 10(b) of the CCVSA, a state-issued franchise holder must designate PEG channels within 90 days of beginning to offer service.

⁷ CCVSA § 15(b)(1).

4200012405 Powerscourt Dr
St. Louis, MO 63131
(314)965-0555

STUB 1 OF 1

CHECK DATE: 2/20/08

NO. 01170099

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTIONS	AMOUNT PAID
04/30/07	Q200704	Franchise Fee	1,470.61		1,470.61
05/31/07	Q200705	Franchise Fee	1,393.61		1,393.61
06/30/07	A200706	Franchise Fee	1,427.48		1,427.48
07/31/07	A200707	Franchise Fee	1,417.63		1,417.63
08/31/07	A200708	Franchise Fee	1,478.40		1,478.40
09/30/07	A200709	Franchise Fee	1,440.15		1,440.15
10/31/07	A200710	Franchise Fee	1,473.24		1,473.24
11/30/07	A200711	Franchise Fee	1,472.93		1,472.93
12/31/07	A200712	Franchise Fee	1,442.31		1,442.31

OFFICIAL
RECEIPT

If payment is made by check, this receipt is not valid until check has been honored by the bank on which it is drawn.

CITY OF CAMDEN
CASH RECEIPT
CAMDEN, TENNESSEE 38320

CONTROL NO.

042681

Rcpt #: 00002809

Rcpt Date: 03/03/2008
Cash Acct: 110-11100Received Of: CHARTER COMMUNICATIONS
Description: 4/1/07 - 12/31/07

Receipt Amount: 13016.36

RECEIPT DISTRIBUTION		
FUNCTION-OBJ	DESCRIPTION	AMOUNT
1912	CABLE TV FRANCHISE T	13016.36

PAYMENT DISTRIBUTION		
TYPE	REF NUMBER	AMOUNT
CHECK	1170099	13016.36

Received By: ANGIE



February 26, 2008

Mayor Jim Travis
PO Box 779
Camden, TN 38320

Dear Mayor Travis:

Please find enclosed the Charter Communications franchise fee payment of \$13,016.36 for the period covering April 1, 2007 to December 31, 2007. The fee was calculated using a rate of three percent multiplied by Cable Service Receipts of \$433,878.86.

If you have any questions, please call me at (931) 472-0128.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Fox'. The signature is fluid and cursive, with a large, stylized 'A' and 'F'.

Anthony Fox
Director of Operations

Enclosures



February 19, 2008

TN0014
Camden, TN
CAMDEN, TN 38320

RE: Annual Franchise Fee Payment

Dear Sir or Madam:

Enclosed please find our franchise fee remittance covering the period from April 1, 2007, to December 31, 2007, for Charter Communications.

The fee is computed as follows:

Franchise Fee Base	\$433,878.86
Fee Factor	3%
Fee Adjustment (see detail)	\$0.00
Fee Due	<u>\$13,016.36</u>

The computation is prepared in compliance with the provisions of the franchise agreement. Please feel free to contact our office if any additional information is required.

Sincerely,

Steve Lottmann
Divisional Controller

4101 - 00166947 - 35201

Enclosure

ATTACHMENT CONTAINS TRADE SECRET INFORMATION AND IS CONFIDENTIAL & PROPRIETARY
- NOT FOR PUBLIC DISCLOSURE



Summary of Revenues2 Subject to Franchise Fee

Print Date 2/19/2008
Run Date 2/19/2008
1:47:13PM

Vendor Code:	00166947
FCC ID:	TN0014
Frequency:	Annual
Base Period:	12

35201 Jackson/McKenzie TN
4101/60 Camden, TN

Source FTA Code(s): 8353/4000/0240

	200704	200705	200706	200707	200708	200709	200710	200711	200712	Total
BASIC CABLE SERVICE	14,516.25	14,631.61	14,329.31	14,454.73	14,270.80	14,251.18	14,311.70	14,445.85	13,952.56	129,163.99
BULK REVENUE	2,905.59	2,861.50	3,187.54	3,261.35	3,325.85	3,384.67	3,496.03	3,510.66	3,514.75	29,447.94
EXPANDED BASIC SVC	30,977.75	30,789.50	30,296.83	30,297.17	30,270.53	30,127.19	30,288.23	30,398.91	29,917.59	273,363.70
FRANCHISE FEE REV	0.00	0.00	1,458.26	1,455.37	1,436.24	1,437.89	1,462.78	1,490.39	1,445.90	10,187.83
OTHER REVENUE	0.00	0.00	0.00	14.47	0.00	0.00	(20.00)	(45.03)	0.00	(50.56)
PROCESSING FEES	777.29	775.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,553.27
BAD DEBT	(156.41)	(2,604.87)	(1,689.25)	(2,228.65)	(23.39)	(1,195.96)	(430.79)	(703.06)	(754.93)	(9,787.29)
REVENUE	49,020.47	46,453.72	47,582.69	47,254.44	49,280.03	48,004.97	49,107.95	49,097.72	48,076.87	433,878.88
FEE CALCULATED	1,470.61	1,393.61	1,427.48	1,417.63	1,478.40	1,440.15	1,473.24	1,472.93	1,442.31	13,016.36
FEE	1,470.61	1,393.61	1,427.48	1,417.63	1,478.40	1,440.15	1,473.24	1,472.93	1,442.31	13,016.36

Fee Factor: 3%



December 13, 2007

Office of the Mayor
P. O. Box 779
Camden, TN 38320

Dear Office of the Mayor:

At Charter Communications, we realize that keeping you informed is an important part of our relationship. With that in mind, we want to let you know of some changes in our pricing and services that will be occurring in February 2008. Effective with the February 2008 billing statement, price adjustments will be made to selected cable products and services offered in your community, as detailed on the attached page.

The price adjustments reflect the overall value of our services, including the availability of improved programming and significant savings through our multi-product bundle. Adjustments are necessary based on the rising cost of doing business, including items such as fuel, insurance and programming.

Please note that the attached rate card shows "a la carte" pricing. However, customers are able to take advantage of service package discounts when bundling or combining multiple Charter services. You may also notice changes in channel positions from analog to digital. These changes are being made in preparation for increased programming and advanced products for our customers. Channel changes are indicated on the attached lineup.

We know our customers have a choice for their entertainment providers; therefore we are committed to providing the best in choice and service available at a reasonable price. Additionally, we want you to know that we value our relationship with your community and look forward to serving you in 2008 and beyond.

If you have any questions or concerns, please feel free to contact me directly at 865-273-2712.

Sincerely,

A handwritten signature in black ink that reads "Nick Pavlis". The signature is fluid and cursive, with the first name "Nick" and last name "Pavlis" clearly distinguishable.

Nick Pavlis
Director of Government Relations
Charter Communications

83534000/240/Camden

1774 Henry G Lane Street • Maryville, Tennessee 37801
www.charter.com • tel: 865-273-2712



Brings your home to life.

Paris, Camden, Kentucky Lake, Benton County, and Henry County, TN

BASIC SERVICE

- 2 WKRN-TV - ABC
- 3 Local Access
- 4 WSMV - NBC
- 5 WTVF - CBS
- 6 WPSD - NBC
- 7 WBBJ-TV - ABC
- 8 WJKT - FOX
- 9 WGN
- 10 WKMU - PBS
- 11 WLJT - PBS
- 12 WNAB - CW
- 13 WZTV - FOX
- 14 QVC
- 15 CVC Network
- 17 Home Shopping Network
- 18 CSPAN
- 19 Local Origination
- 20 Trinity Broadcasting/TBN
- 21 Inspirational Network
- 22 Charter Media

EXPANDED BASIC SERVICE

- 23 CSPAN2
- 24 HGTV/Home and Garden Television
- 25 Travel Channel
- 26 Food Network
- 27 Hallmark Channel
- 28 Lifetime
- 29 Soap Net
- 30 Oxygen
- 31 E!
- 32 Style
- 33 Golf Channel
- 34 Charter Sports Southeast
- 35 ESPN
- 36 ESPN 2
- 37 Fox Sports Net South
- 38 GSN (Game Show) (Digital Only)
- 39 Speed Channel
- 40 TNT
- 41 fx
- 42 USA
- 43 TBS
- 44 SportSouth
- 45 FOX News Channel
- 46 CNN
- 47 CNN Headline News
- 48 CNBC
- 49 MSNBC
- 50 NewsChannel 5+
- 51 The Weather Channel
- 52 CMT
- 53 VH-1
- 54 MTV
- 55 MTV2
- 56 BET
- 57 Spike TV
- 58 Comedy Central
- 59 G4 (Digital Only)
- 60 Sci-Fi
- 61 Turner Classic Movies
- 62 AMC
- 63 Bravo - E
- 64 TV Land
- 65 The Disney Channel
- 66 ABC Family

- 67 Nickelodeon - E
- 68 Cartoon Network
- 69 A&E
- 70 History
- 71 truTV
- 72 The Learning Channel
- 73 The Discovery Channel
- 74 National Geographic
- 75 Animal Planet

DIGITAL VIEW

(formerly part of the Digital Family & Information Tier)

- 106 Bloomberg
- 107 Fox Business Network
- 117 Noggin
- 118 The N
- 119 Nickelodeon Too - W
- 120 Nicktoons Network
- 121 Toon Disney
- 126 Lifetime Real Women
- 131 Do It Yourself
- 132 American Life TV
- 133 Jewelry Television by ACN
- 135 Women's Entertainment
- 139 Lifetime Movie Network
- 143 MTV Jams
- 144 VH-1 Soul
- 145 BET J
- 146 MTV Hits
- 147 VH-1 Classic
- 148 CMT Pure Country
- 149 Great American Country
- 150 MTV Tr3s
- 151 VH Uno
- 307 Fuel TV

TOTAL VIEW

(includes Digital View and the following channels)

- 155 Fuse
- 157 Gospel Music Channel
- 160 Sundance - E
- 161 Independent Film Channel
- 163 FOX Movie Channel
- 167 Discovery Home Channel
- 168 Fine Living
- 180 The Science Channel
- 181 Investigation Discovery
- 182 Discovery Health
- 183 Military Channel
- 184 Biography
- 186 Boomerang
- 187 Discovery Kids
- 191 ABC News Now
- 195 History Channel International
- 196 BBC America
- 198 CNN en Español
- 199 Discovery en Español

DIGITAL LIFELINE

- 122 WLJT-DT2 - PBS Kids
- 197 WSMV-DT2 (Telemundo)

DIGITAL SPORTS VIEW

- 133 Jewelry Television by ACN
- 300 ESPNNews
- 301 ESPN Classic
- 302 ESPNU
- 304 Fox College Sports - Atlantic
- 305 Fox College Sports - Central
- 306 Fox College Sports - Pacific
- 307 Fuel TV
- 308 Fox Soccer Channel
- 315 Outdoor Channel

- 318 The Tennis Channel

SPORTS PPV

- 350-355 ESPN Sports PPV 1-6
- 360-373 NHL/MLB PPV 1-14

MOVIE VIEW (formerly the Movie Tier)

- 133 Jewelry Television by ACN
- 162 LOGO
- 400 Showtime - E
- 401 Showtime Too - E
- 402 Showtime Showcase - E
- 403 Showtime Extreme - E
- 404 Showtime Beyond - E
- 405 FLIX-E
- 406 The Movie Channel - E
- 407 TMC Xtra - E
- 550 Encore - E
- 551 Encore Love - E
- 552 Encore Action - E
- 553 Encore Mystery - E
- 554 Encore Drama - E
- 555 Encore Westerns - E
- 556 Encore - W

DIGITAL PREMIUM HBO/CINEMAX

- 500 HBO - E
- 502 HBO 2 - E
- 503 HBO Signature - E
- 504 HBO Family - E
- 505 HBO Latino - E
- 506 HBO - W
- 507 HBO 2 - W
- 508 HBO Signature - W
- 509 HBO Family - W
- 520 Cinemax - E
- 522 More Max - E
- 523 Action Max - E
- 524 Cinemax - W
- 525 More Max - W
- 526 Action Max - W

STARZ SUPER PAK

- 540 Starz - E
- 541 Starz inBlack - E
- 542 Starz Kids and Family - E
- 543 Starz Cinema - E
- 544 Starz Edge - E
- 545 Starz - W
- 546 Starz Cinema - W
- 550 Encore - E
- 551 Encore Love - E
- 552 Encore Action - E
- 553 Encore Mystery - E
- 554 Encore Drama - E
- 555 Encore Westerns - E
- 556 Encore - W

HI-DEF LIFELINE

- 704 WSMV-DT - NBC
- 705 WTVF-DT - CBS
- 707 WBBJ-DT - ABC
- 711 WLJT-DT - PBS
- 716 WJKT-DT - FOX
- 717 WZTV-DT - FOX

HI-DEF VIEW

- 720 ESPN HD
- 721 ESPN2 HD
- 730 Discovery HD Theater
- 731 TNT - HD
- 732 Universal HD
- 733 MHD
- 734 A&E HD

- 735 History HD
- 740 HDNet
- 741 HDNet Movies

HI-DEF PREMIUM

- 750 HBO HDTV - E
- 751 Cinemax HDTV - E
- 753 Showtime HDTV - E
- 754 TMC HDTV - E
- 756 Starz HDTV - E

DIGITAL PPV

- 800 IN DEMAND Previews
- 801-807 IN DEMAND 1-7

DIGITAL ADULT PPV

- 833 The Erotic Network
- 834 TEN Clips
- 835 TEN Blue
- 836 TEN Blox

DIGITAL MUSIC

- 901 Sounds of the Season
- 902 Today's Country
- 903 Classic Country
- 904 Bluegrass
- 905 Hip-Hop and R&B
- 906 Classic R&B
- 907 R&B Soul
- 908 R&B Hits
- 909 Rap
- 910 Metal
- 911 Rock
- 912 Arena Rock
- 913 Classic Rock
- 914 Adult Alternative
- 915 Alternative
- 916 Retro-Active
- 917 Electronica
- 918 Dance
- 919 Lite Hits
- 920 Adult Top 40
- 921 Hit List
- 922 Kids Only!
- 923 Party Favorites
- 924 Showcase
- 925 90s
- 926 80s
- 927 70s
- 928 Solid Gold Oldies
- 929 Smooth Jazz
- 930 Jazz
- 931 Blues
- 932 Reggae
- 933 Soundscapes
- 934 Easy Listening
- 935 Big Band & Swing
- 936 Singers & Standards
- 937 Show Tunes
- 938 Contemporary Christian
- 939 Gospel
- 940 Classical Masterpieces
- 941 Lite Classical
- 942 Pop Latino
- 943 Music Urbana
- 944 Salsa Meringue
- 945 Mexicana

• Channels 100+ require a digital receiver.
•• Some services not available in all areas.
••• Channel line-up subject to change.

Effective: 2/01/08
Paris 8353/4000/0210-0250, 0320

BE IT ORDAINED BY THE MAYOR AND ALDERMEN OF THE TOWN OF CAMDEN, TENNESSEE THAT A FRANCHISE GRANTING CONSENT TO OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE TOWN OF CAMDEN, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE AND PROVIDING FOR REGULATION OF SAID SYSTEM BY THE TOWN IS HEREBY AMENDED AND RENEWED FOR A PERIOD OF FIFTEEN (15) YEARS FROM THE EXPIRATION OF THE CURRENT FRANCHISE.

WHEREAS, the Town of Camden granted a cable television franchise to Bruce L. Uerling on November 4, 1968 for a term of twenty-five (25) years; and

WHEREAS, the franchise has been assigned to Cablevision Industries of Tennessee, L.P. (the "Company"); and

WHEREAS, the Cable Communications Policy Act of 1984 (the "Cable Act") has established federal legislation governing the regulation and renewal of cable television franchises; and

WHEREAS, the Company intends to upgrade and expand the channel capacity of its system;

WHEREAS, the Company has complied with all terms and conditions of its cable television franchise;

NOW THEREFORE, be it ordained that said franchise is hereby amended and renewed as follows:

SECTION 1: Renewal. The franchise is renewed for a term of fifteen (15) years commencing on the expiration of the current franchise on November 4, 1993 and shall thereafter be subject to renewal for additional fifteen (15) year periods in accordance with Section 626 of the Cable Act.

SECTION 2: System Upgrade and Timetable. Within the time period specified below, the Company shall have reconstructed and initiated operation of a cable system which has the capability of passing frequencies up to 450 megahertz (MHz) cable bandwidth. Said upgrade shall include the replacement of, as necessary, cable passives and electronics in the cable system and shall be completed within 14 months of the effective date of this Ordinance. The city shall grant reasonable extensions to the timetable upon a showing of good cause by the company. The rebuilt system will be designed, spaced and constructed for system operation to 450 MHz meeting all NCTA Recommendations at full channel loading. Initially the upgraded system will deliver 35 channels to subscribers, and activation of the remaining channel capacity (25 channels) will require no major modifications to the distribution system other than replacements of attenuators, equalizers, and necessary re-balancing and proofs.

The Company shall provide a construction bond or other financial assurance satisfactory to the Town in the amount of \$50,000.00 to guarantee the performance of its

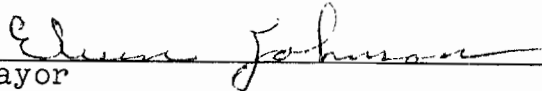
obligations under this Section 2. Upon completion of the system upgrade the Company shall be entitled to cancel the bond or other financial assurance.

SECTION 3: Section V of the Ordinance is amended to provide that as further consideration for the franchise and in lieu of all occupancy and license taxes or other taxes on the right to do business, the Company shall pay annually to the Town a franchise fee in the amount of three percent of the Company's gross subscriber revenues from basic reception services from subscribers inside the Town of Camden.

SECTION 4: Separability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction or any regulatory agency with jurisdiction over the system, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5: Ordinances Repealed. All ordinances or parts thereof in conflict with the provisions of the Ordinance are hereby repealed.

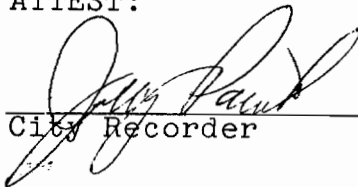
SECTION 6: BE IT FURTHER ORDAINED that this Ordinance shall be certified and signed as required by law, and the Recorder shall publish this Ordinance according to the requirements of law as soon as practicable after final passage hereof. The Grantee herein shall pay for all and any costs and expenses of such publication.



Mayor

1st Reading	<u>MAY 9, 1988</u>
2nd Reading	<u>MAY 9, 1988</u>
3rd Reading	<u>JUNE 13, 1988</u>

ATTEST:



City Recorder

**CAMDEN TV
CABLE**
P O BOX 116
39 1/2 N. COURT SQUARE
CAMDEN, TENN. 38320
901-584-4592



December 15, 1983

Mr. Jess Burns
Recorder
Town of Camden
P.O. Box 448
Camden, Tennessee 38320

Dear Mr. Burns:

I am enclosing herewith a copy of a notice from the Federal Communications Commission advising all parties concerned with a copy to the Mayor, that the original franchise fee of 10% would be reduced to 3% beginning November, 1983. This is to explain the reduction in the franchise fee which is due December 15, 1983. This 3% will carry through for the remainder of the franchise term which runs until November, 1993.

Thanking you, we are

Yours very truly,

CAMDEN TV CABLE COMPANY

Frank L. Hollis
President

FLH/pkc
Enclosure

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

April 27, 1978

IN REPLY REFER TO:

4120-PF

Philip R. Hochberg, Esq.
O Connor and Hannon
1747 Pennsylvania Ave., NW
Washington, D. C. 20006

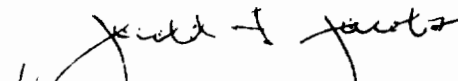
in re Camden TV Cable Company
Camden, Tennessee
CAC-11567, TN0014

Dear Mr. Hochberg:

This is to inform you that the above-captioned cable television system has been granted a certificate of compliance certifying existing operations at Camden, Tennessee. However, your attention is drawn to the following matter.

Section V of the system's franchise provides for a franchise fee of 10% of the monthly fee charged. Revised Section 76.31 of the Commission's Rules (effective November 15, 1977), provides that the fee may not exceed 3% of "gross revenues" absent a detailed justification and grant of a waiver. However, as the system was franchised and in operation prior to March 31, 1972, it can continue to collect the entire fee until November 3, 1983. At that time, that portion of the franchise fee in excess of 3% of gross revenues will be treated as null and void, pursuant to paragraphs 4-6 of the Report and Order in Docket No. 20578, FCC 76-448, 59 FCC 2d 378 (1976).

Sincerely,


Philip L. Verveer, Chief
Cable Television Bureau

cc: Major

18

ORDINANCE NO. RS46

AN ORDINANCE GRANTING TO BRUCE L. UERLING AN EXCLUSIVE FRANCHISE TO USE AND OCCUPY THE STREETS, ALLEYS, HIGHWAYS, BRIDGES, AVENUES, LANES, ROADS, PUBLIC GROUNDS AND OTHER WAYS AND PUBLIC PLACES IN THE TOWN OF CAMDEN, TENNESSEE, FOR THE PURPOSE OF ERECTING, CONSTRUCTING, OWNING, LEASING OR OTHERWISE ACQUIRING, MAINTAINING AND OPERATING ~~THESE TELEVISION LINES~~ TELEVISION LINES, EITHER ON POLES OWNED OR LEASED FROM EXISTING PUBLIC UTILITIES with their consent or on poles to be erected or THROUGH CABLES TO BE LAID UNDER GROUND, FOR RECEIVING AND DISTRIBUTING TELEVISION IMPULSES OR SIGNALS TO HOMES, COMMERCIAL ESTABLISHMENTS AND ALL OTHER CONSUMERS FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE EFFECTIVE DATE HEREOF WITHIN THE TOWN OF CAMDEN, TENNESSEE, AND FIXING THE TERMS, CONSIDERATION, AND CONDITIONS OF SUCH GRANT.

BE IT ORDAINED by the Mayor and Aldermen of the Town of Camden, Tennessee:

SECTION 1.

That for the consideration and on the terms, conditions and provisions hereinafter set forth and for the benefits that will accrue to the Town of Camden, and its citizen, there is hereby granted to BRUCE L. UERLING, his heirs and assigns, for a period of twenty-five (25) years after the final adoption hereof, an exclusive franchise to furnish direct wire reception of television programs to the citizens, residents and community of Camden, Tennessee, by means of the establishment of a master antenna utilizing a master control unit and amplifiers or other means and by relaying the television signals directly into television receivers, together with the right to erect and maintain such poles, which poles may be leased from existing public utilities with their consent, or may be erected by the said Bruce L. Uerling, or such signals may be transmitted through underground cable, wires and other fixtures along or under or beside the streets, alleys, highways, bridges, roads, avenues, lanes and public grounds and places within the said Town of Camden, hereinafter referred to as streets, as may be reasonably necessary and convenient for its business of receiving and distributing television signals in supplying the citizens of the said Town of Camden and the general public;

Aldermen of the Town of Camden in an amount estimated by the Board of Mayor and Aldermen to be adequate to assure the replacement and/or restoring of such city property to its original condition, and that the city shall be indemnified from any and all liability and damage arising from the act or acts of the said Grantee herein or his employees, agents, heirs and assigns. This grant is made and is to be enjoyed subject to all such reasonable regulations and ordinances as said Town may properly authorize from time to time insofar as said action is not destructive of the rights herein granted.

SECTION III.

That Grantee shall construct his system in accordance with good practices of the industry.

SECTION IV.

That Grantee shall make his service available to all residents within the corporate limits of the Town, and shall provide his service to all public schools within the corporate limits without charge.

SECTION V.

That Grantee shall pay to the Town of Camden monthly the sum of the ten per cent of the Monthly fee charged and collected from each subscriber to the service of the Grantee. All payments to the Town of Camden are to be made by the 15th of the month following the month in which service is furnished.

SECTION VI.

That unless the said Grantee shall commence bonafide construction within twelve (12) months from the date of the final adoption of this ordinance and shall commence service within eighteen (18) months from the date of the adoption of this ordinance or if at any time service once begun is discontinued by the said franchise owners for a period of three (3) successive months for reasons due to other than act of God, accident, mechanical failure, orders of public officials, orders of a court of competent jurisdiction or other reasons over which Grantee has no control, this franchise shall become void.

SECTION VII.

The said Grantee shall take out and carry public liability insurance covering its activities in the amount of ONE

HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS due to injury to any one person and THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) DOLLARS for personal injuries for any one accident and property damages in the amount of not less than TWENTY-FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS FOR each accident. The Grantee shall, when requested by the Mayor and Aldermen produce proof of such insurance.

SECTION VIII.

That the Grantee be and he is hereby granted the authority, right and privilege to set, control and regulate the fee for such services to the individual consumer and user during the period of this franchise with the provision that same must be reasonable under all circumstances.

SECTION IX.

That wherever in this ordinance Bruce L. Uerling or Grantee, is named or referred to, it shall be deemed to include his heirs, transferees, representatives and assigns, and all right, privileges and obligations herein conferred and imposed shall bind and inure to the benefit of such heirs, transferees, representatives and assigns and the said Bruce L. Uerling is herewith given authority to transfer this franchise or his respective rights thereto.

SECTION X.

That the Mayor of the Town of Camden be and he hereby is authorized, directed and empowered to issue the franchise herein provided for and the Recorder shall attest the same under the seal of the Town of Camden and this Ordinance shall be deemed to be a part thereof.

SECTION XI.

That this ordinance was introduced in writing and read by the Recorder at a regular meeting of the Mayor and Aldermen of the Town of Camden, and thereafter remained on file with the Recorder for public inspection.

SECTION XIII.

That this ordinance shall be certified and signed as required by law, and the Recorder shall publish this ordinance according to the requirements of law as soon as practicable after final passage hereof. The Grantee herein shall pay for all and any costs and expenses of such publication.

SECTION XIII.

If any clause, part or section of this ordinance is illegal or is not embraced within the time hereof or is not con-
ate to the subject expressed in the title, the remaining pro-
visions hereof shall not be thereby affected but shall have full
force and effect herein.

PASSED FIRST READING 8-5-68

PASSED SECOND READING 10-7-68

PASSED THIRD READING 11-4-68

Ordered, adopted and approved, this the 4 day of

November, 1968.

ATTEST:

H. C. Walker
RECORDER

APPROVED:

Ray Smith
MAYOR