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11-00208

RESOLUTION 22-R-04 regarding Tennessee Code Annotated 7-59-301 et seq., the Competitive Cable and Video Services Act, as it relates to franchise fees.

WHEREAS, the City of Murfreesboro approved a ten year local Cable Television Franchise agreement with Comcast Cablevision of Nashville II, LLC; and,

WHEREAS, the local Cable Television Franchise agreement includes quarterly franchise fee payments to the City based on the City's definition of gross revenue; and,

WHEREAS, these franchise fee payments are required as part of the compensation for use of the City public rights of way; and,

WHEREAS, the City's definition of gross revenue, as set forth in Murfreesboro City Code §36-2 and the current franchise agreement with Comcast Cablevision of Nashville II, LLC, includes, among other items, franchise fees; and,

WHEREAS, Tennessee Code Annotated Section 7-59-303 (11)(A)(i) requires a municipality to adopt a resolution that requires gross revenue to include, among other items, franchise fees, as part of the quarterly franchise fee payments and to provide such notice to the Tennessee Public Utility Commission in order for these amounts to be included in any state issued cable and video franchise; and,

WHEREAS, on December 27, 2021, United Telephone Company applied for an amendment to its state issued cable and video franchise certificate with the Tennessee Public Utility Commission to include portions of the City of Murfreesboro.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. All cable and video service providers operating in the City of Murfreesboro and using our public rights of way are required to include franchise fees in the definition of "gross revenue", among other items, as part of the quarterly franchise fee payments to the City.

SECTION 2. The City Recorder shall send a certified copy of this Resolution to the Tennessee Public Utility Commission as its notice, pursuant to Tennessee Code Annotated Section 7-59-303 (11)(A)(i).

SECTION 3. This Resolution shall be effective immediately upon its passage and adoption, the public welfare and the welfare of the City requiring it.

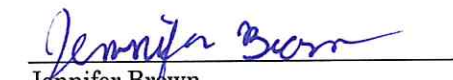
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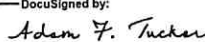
February 3, 2022


Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:


Jennifer Brown
City Recorder

DocuSigned by:

43A2635E51F8401...
Adam F. Tucker
City Attorney

State of Tennessee)
: SS
Rutherford County)

I, the undersigned, **Jennifer Brown**, do hereby certify that I am the duly appointed City Recorder of the City of Murfreesboro, Rutherford County, Tennessee, and as such official, I further certify that attached hereto is a true and correct copy of RESOLUTION 22-R-04 adopted by the City Council of said City at its meeting held on February 03, 2022.

IN WITNESS WHEREOF, I have hereunto subscribed by official signature and affixed the Corporate Seal of said City this 4th day of February 2022.



City Recorder

