

RESOLUTION 19-10825

A RESOLUTION OF THE CITY COUNCIL OF BILLINGS, MONTANA EXTENDING A CABLE FRANCHISE AGREEMENT WITH SPECTRUM PACIFIC WEST, LLC, formerly doing business as BRESNAN COMMUNICATIONS, LLC

WHEREAS, Spectrum Pacific West, LLC, formerly doing business as Bresnan Communications, LLC ("Charter") currently holds a cable franchise with the City of Billings, granted by Ordinance ("Franchise"), on June 9, 2008; and

WHEREAS, Charter's Franchise with the City of Billings originally expired on July 9, 2017, but has been extended by City Council approval to October 9, 2017, December 18, 2017, June 4, 2018, and October 9, 2018, as City staff and Charter representatives continue to work on a revised franchise renewal agreement

WHEREAS, Charter filed a request for renewal of the Franchise under Section 626 of the Cable Act, and Charter and the City of Billings are engaged in ongoing renewal negotiations in accordance with Section 626(h) of the Cable Act; and

WHEREAS, the parties continue to reserve all rights under the formal procedures of Section 626 of the Cable Act and do not waive any rights related thereto; and

WHEREAS, it is in the public interest to extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted; and

WHEREAS, the parties intend and agree that all provisions of the current Franchise as described and approved in Resolution 13-19291 and the Transfer Agreement, both dated June 24, 2013, should remain in full force and effect during the extension period provided below.

NOW, THEREFORE, the City Council of the City of Billings, Montana, does hereby resolve that the Charter Franchise shall be extended until and through January 14, 2020, to allow finalization of a revised franchise renewal agreement; and

FURTHER, RESOLVES that execution of this extension shall not constitute a waiver of the City of Billings or Charter's respective rights regarding the Franchise, and that Charter shall not be required to send another request for renewal of the Franchise under Section 626 as a result of this Extension.

APPROVED AND PASSED by the City Council of the City of Billings, this 23rd day of September, 2019.

CITY OF BILLINGS



By:

William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

APPROVED AS TO FORM:

Brent Brooks

Brent Brooks, City Attorney

~~ACCEPTED this _____ day of _____, 2019.~~
Bresnan Communications, LLC
I/k/a Charter Communications
By: _____
Name/Title: _____

ACCEPTED this 5 day of November, 2019,
subject to applicable federal and State law.

Spectrum Pacific West, LLC
By: Charter Communications, Inc., Its Manager

Paul Abbott

Name: Paul Abbott
Title: VP, Local Government Affairs & Franchising