

Before the  
Mt. Hood Cable Regulatory Commission  
1211 SW Fifth Avenue Room 1305  
Portland, OR 97204

Recommending and transmitting to Multnomah	)	
County and the Cities of Fairview, Gresham,	)	Resolution No. 2011-04
Troutdale and Wood Village a cable franchise	)	Adopted by the Commission
renewal agreement with Comcast of	)	October 24, 2011
Illinois/Ohio/Oregon, LLC for 10 year term	)	
beginning January 1, 2012 with exhibits, side	)	
letters of agreement, and accompanying documents	)	

Section 1.      Findings.

- 1.1      The Mt. Hood Cable Regulatory Commission ("MHCRC" or "Commission") was created by Intergovernmental Agreement (dated December 24, 1992) ("IGA") to carry out cable regulation and administration on behalf of, among others, Multnomah County and the cities of Gresham, Fairview, Troutdale, and Wood Village ("the Jurisdictions"). Among other things, the Commission acts in an advisory capacity to the Jurisdictions in connection with cable franchise renewals.
- 1.2      On the MHCRC's recommendation, the Jurisdictions previously issued a cable franchise to KBL Multnomah Cablesystems, LP. The Jurisdictions approved the transfer of this franchise to a subsidiary of Comcast Corporation ("Comcast") in June 2002. The franchise was due to expire December 31, 2010 but on the MHCRC's recommendation was extended by the Jurisdictions to expire December 31, 2011.
- 1.3      Pursuant to the provisions of 47 U.S.C. §546, the MHCRC on the Jurisdictions' behalf has conducted a cable franchise renewal process. The process was authorized by Commission Resolution No. 2008-02 (adopted April 21, 2008). Pursuant to this process, a Community Needs Ascertainment report ("Your Voice, Our Communications Technology") was prepared in April, 2010 for the Jurisdictions. Comcast and MHCRC staff subsequently negotiated a proposed franchise renewal agreement, with exhibits, side letters of agreement, and accompanying contracts (including a recommended revised contract between Comcast and the City of Portland's Bureau of Technology Services for Institutional Network Services required under the renewed franchise).
- 1.4      The MHCRC has solicited public input on several occasions throughout the renewal process, including in connection with the Community Needs Ascertainment process. The MHCRC held a public hearing in September 2011 on the public benefit elements of the proposed renewal franchise.
- 1.5      In bringing forward the proposed Jurisdictions-Comcast renewal franchise in final form, for purposes of Comcast's calculation of franchise and PEG/I-Net fees payable to the Jurisdictions, MHCRC staff recommends the MHCRC specifically re-state the MHCRC's expectation that Comcast will continue under the new franchise to utilize the historic methodology used by Comcast and its predecessors to calculate and pay such fees to the Jurisdictions prior to the effective date of the Franchise
- 1.6      The proposed Jurisdictions-Comcast renewal franchise has been accepted by Comcast and recommended by staff for MHCRC approval and forwarding to the elected bodies of the Jurisdictions for consideration and final action, along with the applicable exhibits, side letters of agreement and

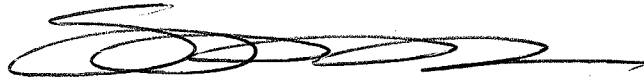
accompanying documents. MHCRC staff has also recommended separately forwarding to the Portland City Council a recommended revised contract between Comcast and the City Bureau of Technology Services for Institutional Network Services required under the renewed franchise.

NOW, THEREFORE THE COMMISSION RESOLVES:

Section 2.

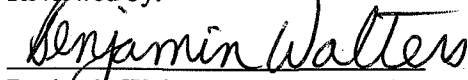
- 2.1 The MHCRC authorizes staff and legal counsel to prepare the Jurisdictions-Comcast renewal franchise in final form in consultation and with the consent of the MHCRC, and submit the proposed franchise to the Jurisdiction elected bodies for consideration and final action, with a recommendation that the Jurisdiction elected bodies approve the Comcast renewal franchise along with the exhibits, side letters of agreement and accompanying documents.
- 2.2 In recommending the renewed franchise, the MHCRC on behalf of the Jurisdictions assumes and relies on Comcast continuing to include in franchise and PEG/I-Net fee payments to the Jurisdictions all amounts it receives from programmers for launch fees and marketing reimbursements in Gross Revenues upon which franchise and PEG/I-Net fees are calculated, and shall continue the practice of not excluding or deducting advertising agency or sales representative commissions or other advertising sales expenses from Gross Revenues upon which franchise and PEG/I-Net fees are calculated.

ADOPTED BY THE COMMISSION on October 24, 2011.



Sue Dicile, Chair

Reviewed by:



Benjamin Walters, MHCRC Legal Counsel

Attachments: Jurisdictions-Comcast franchise renewal chart showing language specific to East County.