



Comcast Franchise Agreement

City Council – November 4, 2013

Background

- 1995 – City granted a non-exclusive franchise to TCI of Colorado
- Comcast is the successor in interest to TCI
- 1995 Franchise set for 15 year term, to expire in November, 2010
- City and Comcast agreed to extend Franchise to Dec. 31, 2013 to enable Denver and Aurora to negotiate new “model” franchise



Background

- Extension was granted by City Council on October 25, 2010
- Denver and Aurora adopted new franchise agreements in 2013
- City staff and outside counsel reviewed and made revisions to model franchise agreement
- Comcast initially agreed to nearly all revisions and both parties have agreement on the remaining issues
- Approximately 5,500 subscribers in city



Franchise Highlights

- Authorizes Comcast to use City ROW to provide cable service (subject to permitting)
- 10 year term (expires Dec. 31, 2023)
- Franchise fee of 5% paid to City out of Comcast Gross Revenues from City subscribers
- Includes new, model customer service standards approved by Comcast and CCUA (Colo. Communications and Utilities Alliance)



Franchise Highlights

- Comcast must provide an operating Emergency Alert System in compliance with FCC standards
- Comcast must provide one outlet of Basic Service and Digital Starter Service to all City buildings, schools, and public libraries within 150 feet of the Cable System



Franchise Highlights / Programming

- City has little control over programming and cannot require specific channels be available
- Comcast will provide broad categories of programming including Public, Educational, and Government Access as required
- Comcast must provide parental control/lockout upon request



Franchise Highlights / PEG

- Comcast will make both SD and HD channels for PEG available to the City
 - 2 SD channels now
 - 1 HD channel within 120 days of request
 - 2nd HD channel not earlier than 5 years from Jan. 1, 2014 and then within 120 days of request



PEG Usage

- Comcast Channel 8
- Commerce City partners with Adams 14 to operate channel
 - New IGA will be brought forward in 2014 for council approval
- All local agencies/nonprofits (SAWSD, District 27J, Cultural Council) have access to share information
 - Content development is challenge



Action Requested

- Staff recommends approval of the Comcast Franchise Agreement on 1st reading
- Questions?

