

# Resolution No. 1996-27

[\(Council Minutes 96/08/19\)](#)

## RESOLUTION NO. 1996-27

A RESOLUTION of the City Council of the City of Lakewood, Washington, authorizing the City Manager to file documents with the Federal Communications Commission seeking certification to regulate cable television rates, pursuant to the Cable Television Consumer Protection and Competition Act of 1992

WHEREAS, the Cable Television Consumer Protection and Competition Act of 1992 (Cable Act of 1992) provides that the rates of cable television systems not subject to effective competition shall be subject to regulation by the Federal Communications Commission (FCC) or by a local franchising authority certified by the FCC to the extent authorized by the Cable Act of 1992; and,

WHEREAS, it is the intent and expectation of Congress and the FCC that local franchising authorities accept and administer their rate regulatory responsibilities under the provisions of the Cable Act of 1992 on behalf of consumers; and,

WHEREAS, the City of Lakewood is the successor franchising authority to Pierce County, Washington, and is the local franchising authority within the meaning of the Cable Act of 1992; and,

WHEREAS, the City of Lakewood is establishing procedures and protocols, through ordinance and other legislative enactments, to address cable television regulatory matters, including rate regulation over cable television systems within the City; and,

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WHEREAS, the City Council of the City of Lakewood is developing and will adopt and administer rate regulation rules which will accord with FCC rules and regulations, and as required by the Cable Act of 1992, the City has, under State law and its municipal code, the legal authority to adopt and the personnel to administer such rules and regulations, and will insure that all procedures in rate regulation matters provide a reasonable opportunity for consideration of the views of interested parties; and,

WHEREAS, the cable television system operating within the City is not subject to effective competition within the meaning of the Cable Act of 1992; and,

WHEREAS, it is appropriate that the City Council authorize the City Manager to file written certification with the FCC on behalf of the City which will enable the City to exercise its rate regulatory authority under the provisions of the Cable Act of 1992.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

1. That the City Manager is authorized and directed to file, on behalf of the City of Lakewood, a written certification with the Federal Communications Commission that the City of Lakewood, as a successor to Pierce County, Washington in the cable television franchise within the City, and as a local franchising authority within the meaning of the Cable Act of 1992:

A. Will adopt and administer rate regulation rules which comply with FCC rules and regulations;

B. Has the legal authority to adopt, and the personnel to administer, such rules and regulations; and

C. Will ensure that all procedures in rate regulation proceedings will provide a reasonable opportunity for consideration of the views of interested parties.

2. That a copy of the written certification prepared by the City Manager shall be provided to the City Council upon filing with the

FCC.

3. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 19th day of August, 1996.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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