

**EXHIBIT C**  
**SELECTED EXCERPTS of PROPOSED LANGUAGE**  
**RECEIVED FROM VERIZON on ISSUES REFERENCED**  
**in MHCRC STAFF REPORT & RECOMMENDATION**  
(with existing MHCRC language noted for comparison where applicable)

**1. Jurisdiction authority over Cable Customer Service & Consumer Protection Standards**

Verizon-Proposed language (September 26<sup>th</sup>):

The Customer Service Standards and the minor variances shall be binding and not subject to change for the term of this Franchise notwithstanding any other provision herein.

Revised Verizon-Proposed language: (September 30<sup>th</sup>)

The Customer Service Standards and the minor variances shall be binding and not subject to change for the term of this Franchise unless mutually agreed in writing by the parties, notwithstanding any other provision herein.

**2. Enforcement remedies (with compromise fine cap for franchise violations & elimination of other remedies)**

Verizon-Proposed language (September 26<sup>th</sup>):

Reasonable penalties under Section 14.2.2 shall be up to the following amounts:

	Up to 10,000 Subs	10,001 to 15,000 Subs	Over 15,000 Subs
Fines, per day, incident, or other measure of violation	\$300	\$500	\$700
	Annual Cap on Fines		
Failure to meet build commitment or provide free drop	\$10,000	\$15,000	\$20,000
Failure to provide PEG Channels or PEG/I-Net Grant	\$20,000	\$30,000	\$40,000
Failure to provide reports or insurance	\$10,000	\$15,000	\$20,000
Violation of Customer Service Standards	\$10,000	\$15,000	\$20,000

### **3. Definitions for “cable” vs “telephone” facilities (Title II vs Title VI)**

Verizon-Proposed language: (September 30<sup>th</sup>)

1.7 *Cable System* or *System*: (last sentence) Shall be defined herein as it is defined under Section 602 of the Communications Act, 47 U.S.C. § 522(7). Subject to Sections 3.6.3 and 3.9, the Cable System shall be limited to the optical spectrum wavelength(s), bandwidth or future technological capacity that is used for the transmission of Cable Services to Subscribers within the Franchise/Service Area and shall not include the tangible network facilities of a common carrier subject in whole or in part to Title II of the Communications Act or of a provider of other Non-Cable Services.

1.34 *Telecommunications Facilities*: Grantee’s Telecommunications Services and Information Services facilities, including its FTTP Network facilities.

Verizon-Proposed language (September 26<sup>th</sup>):

3.63 Neither party waives any of its rights under state or federal law, except as otherwise set forth herein.

### **4. Telephone response time measurement (per customer service standards)**

Verizon-Proposed language: *Telephone Answering Time*: Under Normal Operating Conditions, calls received by Grantee shall be answered within thirty (30) seconds and, if the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. Grantee shall meet this standard for ninety percent (90%) of the calls it receives at all call centers receiving calls from Subscribers, as measured on a cumulative quarterly calendar basis. Measurement of this standard shall include all calls received by Grantee at all call centers receiving calls from Subscribers, whether they are answered by a live representative, by an automated attendant, or abandoned after 30 seconds of call waiting.

Existing MHCRC telephone standard (for comparison)

(from Section III.B. of MHCRC Customer Service Standards):

**B. Telephone Answering Time** Under Normal Operating Conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety (90) percent of the time under Normal Operating Conditions, measured on a calendar quarterly basis.

### **5. Downgrade Charges**

Verizon-Proposed language (September 30<sup>th</sup>):

9.6.1 *Downgrade Charges*: Unless otherwise ***allowed*** by law, Grantee shall not impose any Downgrade Charges, except as otherwise provided in Section 9.6.1.1 below. (*emphasis supplied*)

## **6. Discriminatory Practices**

Verizon-Proposed language (September 26<sup>th</sup>)

9.7 *Discriminatory Practices*: Grantee shall not deny Cable Service, or otherwise discriminate against Subscribers on the basis of race, color, religion, age, sex, national origin, sexual orientation or physical or mental disability in violation of applicable federal or state laws and/or regulations.

Existing MHCRC franchise language (for comparison)

Comcast East County Franchise §22.1 *Discriminatory Practices*. Grantee shall not deny Cable Service, or otherwise discriminate against Subscribers, Programmers or any other Persons on the basis of race, color, religion, age, sex, national origin, sexual orientation or physical or mental disability. Grantee shall comply at all times with all other applicable federal, state or local laws, rules and regulations relating to non-discrimination.

## **7. Standard of review in case of Franchise revocation**

14.10.2 (excerpt) Grantee may appeal such determination of the Jurisdiction to an appropriate court, which shall have the power to review the decision of the Jurisdiction. ***Grantee shall be entitled to such relief as the court finds appropriate.*** Such appeal must be taken within sixty (60) days of Grantee's receipt of the determination of the Jurisdiction. (*emphasis supplied*)