

EXHIBIT  
MHCRC STAFF  
EXHIBIT 16

# Mt. Hood Cable Regulatory Commission

- Home
- Cable Regulation**
- Cable Consumer Protection
- Community Access Capital Grant Program
- The Institutional Network (I-Net)
- Community

- Overview
- Franchise Agreements
- Comcast
- Verizon
- Cascade Access
- Qwest
- Summary of Franchise Obligations (.pdf)
- Cable Franchise Renewal
- Franchise Oversight
- Enforcement History
- Apply for a Franchise
- Questions about DTV?



## Cable Regulation

- About the MHCRC
- FAQs
- Video Library
- Related Links
- News

Search

## Cable Franchise Application Process

### Welcome

As set forth in the Intergovernmental Agreement ("IGA") establishing the MHCRC, the Jurisdictions (Multnomah County and the Cities of Gresham, Fairview, Portland, Troutdale, and Wood Village) have vested the MHCRC with the authority to negotiate, administer and enforce all cable services franchise agreements serving Multnomah County residents on behalf of the individual Jurisdictions.

Under the MHCRC's established cable services franchise application process, companies can apply for a franchise in one of two ways: (1) through informal negotiations (Non-CFAR Applications); or (2) through a formal application process (CFAR Applications). The MHCRC established the formal franchise application process in accordance with both federal (FCC CFAR - Competitive Franchise Application Rule - 47 C.F.R. §76.41) and local (CFAR Local Rule) law.

### Applying for a Cable Services Franchise

Steps in the informal and formal application process are outlined below.

#### (1) Non-CFAR Applications

Any competitive cable services franchise Applicant may elect to submit a cable franchise application to the MHCRC and/or engage in cable franchise negotiations without regard to the application of the FCC CFAR (Competitive Franchise Application Rule - 47 C.F.R. §76.41). In such cases, the MHCRC will negotiate the terms of a competitive cable franchise without regard to the FCC CFAR and the CFAR Local Rule. Agreement by any Applicant to negotiate a franchise without regard to the FCC CFAR and the CFAR Local Rule shall not be deemed by the MHCRC to effect a waiver of any Applicant's right to terminate its franchise negotiations with the MHCRC and to file a new franchise application that will be subject to the application of the FCC CFAR and CFAR Local Rule.

Non-CFAR applications shall provide MHCRC staff (julieo@mhcr.org) the following minimum information in order to initiate non-CFAR application negotiations:

- (1) the applicant's name
- (2) the names of the applicant's officers and directors

### Contact

Mt. Hood Cable Regulatory Commission

1120 SW Fifth Rm 1305  
Portland, OR 97205

tel: 503.823.5100  
fax: 503.823.5100  
email: [MHCRC](mailto:MHCRC@mhcr.org)

Comcast  
1.888.824.826  
[www.comcast.com](http://www.comcast.com)

Verizon  
1.888.438.346  
[www.verizon.com](http://www.verizon.com)

- (3) the applicant's business address
- (4) the name and contact information of the applicant's contact

--OR--

## (2) CFAR Applications

The MHCRC has established a standardized application process for local competitive video franchising applicants submitting a cable services franchise application in accordance with the FCC CFAR and the CFAR Local Rule. The application form and process only applies to companies who wish to submit a cable services franchise application in accordance with the FCC CFAR and the CFAR Local Rule.

Before submitting an application under the formal negotiation process, Applicants are encouraged to schedule a pre-application meeting with MHCRC staff. Meetings with MHCRC staff can be scheduled by contacting:

Julie S. Omelchuck, Assistant Director  
Mt. Hood Cable Regulatory Commission  
1120 SW 5th Ave., Rm 1305  
Portland, OR 97204  
T: 503.823.4188  
F: 503.823.5370  
E: [julieo@mhcrc.org](mailto:julieo@mhcrc.org)

- [Application Instructions](#)
- [Attachment A: Standard Cable Services Franchise Requirements](#)
- [Attachment B: Cable Customer Service Standards](#)

### When Submitting a CFAR Application Please be Aware of the Following Applicable Studies, Contracts, Laws and Regulations:

- [CFAR Local Rule Application Deposit -- MHCRC Resolution 2007-04](#)
- [Cable Customer Service Standards](#)
- [1995 Community Needs Ascertainment for Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village](#)
- [Incumbent Cable Services Franchise Agreements:](#)
  - [Comcast West Portland](#)
  - [Comcast East Portland](#)
  - [Comcast East County](#)
  - [Qwest](#)
  - [Cascade Access](#)
- [MetroEast Community Media Service Contract](#)
- [MetroEast Community Needs Study \(2006\)](#)
- [Portland Community Media Service Contract](#)
- [Portland Community Media Community Needs Study \(2007\)](#)
- [PEG Programming Guide and Video-on-Demand Agreement \(MHCRC Res. 2005-05 + Letter of Agreement\)](#)
- [Portland City & Charter](#)

## Background

Section 3 of the IGA vests with the MHCRC the powers, rights and duties necessary to carry out the purposes of the IGA, which includes authority to create a competitive cable franchise application process for any applicant seeking a competitive cable franchise in any of the Jurisdictions. [MHCRC IGA](#)

On December 20, 2006 the Federal Communications Commission ("FCC") adopted a Report and Order and Further Notice of Proposed Rulemaking on franchising in MB Docket No 05-311. In the Order, the FCC adopted an amendment to Part 76 of Title 47 of the Code of Federal Regulations to create a new rule regarding competitive cable franchise applications, to be set forth as 47 CFR §76.41. The FCC's Order was published in the Federal Register on March 21, 2007. [FCC Competitive Franchise Application Process Rule \("CFAR"\)](#)

In compliance with the FCC's mandates under the CFAR, and to ensure that the appropriate application process is followed by competitive cable services providers, the MHCRC Jurisdictions adopted a CFAR Local Rule in May 2007. Under the CFAR Local Rule, the MHCRC, on behalf of the MHCRC Jurisdictions, is required to process any competitive cable franchise application submitted pursuant to 47 CFR §76.41. [MHCRC Resolution 2007-02--Exhibit A.](#)



© 2005 Mt Hood Cable Regulatory Commission | [Disclaimer](#) | [Site Map](#) | [Site Credits](#)

