**Before the**

**Mt. Hood Cable Regulatory Commission**

**111 SW Columbia Avenue Room 600**

**Portland, OR 97201**

Recommending and transmitting to the )

City of Portland a cable franchise renewal ) Resolution No. 2015-01

agreement with Qwest Broadband Services, Inc. )

 d/b/a CenturyLink for an 11 year term ) Adopted by the Commission:

expiring December 31, 2026 with exhibit A and a ) March 16, 2015

side letter )

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 Multnomah County and the cities of Gresham, Fairview, Portland, Troutdale, and Wood Village (collectively "the Jurisdictions"). Among other things, the Commission acts in an advisory capacity to the Jurisdictions in connection with cable franchise renewals.

1.2 The Qwest Broadband Services, Inc. cable franchise was approved on the recommendation of the MHCRC by action of the Portland City Council on November 14, 2008 and effective 60 days afterward. Ordinance No. 181414 (the “cable franchise”).

1.3 The cable franchise was transferred to CenturyLink, Inc. on the recommendation of the MHCRC by action of the Portland City Council (Ord. No. 184206, November 3, 2010). The franchise was due to expire December 31, 2011 but on the MHCRC‘s recommendation was extended by the City to expire December 31, 2015, (Ord. No. 186351).

1.3 Pursuant to the provisions of 47 U.S.C. §546, the MHCRC on the City’s behalf has conducted a cable franchise renewal process. The process was authorized by Commission Resolution No. Resolution No. 2011-01 (adopted March 21, 2011). Pursuant to this process, staff relied on the Community Needs Ascertainment report (“Your Vo!ce, Our Communications Technology”) prepared in April, 2010. CenturyLink and MHCRC staff subsequently negotiated a proposed franchise renewal agreement, with exhibit A and a side letter of agreement.

1.4 The MHCRC held a public hearing in January 2015 on the public benefit elements of the proposed renewal franchise.

1.5 The proposed City-CenturyLink renewal franchise has been accepted by CenturyLink and recommended by staff for MHCRC approval and forwarding to the Portland City Council for consideration and final action, along with the applicable exhibit A and side letter of agreement.

NOW, THEREFORE THE COMMISSION RESOLVES:

Section 2.

* 1. The MHCRC authorizes staff and legal counsel to prepare the City-CenturyLink renewal franchise in final ordinance form in consultation and with the consent of the MHCRC, and submit the proposed franchise to the Council of the City of Portland for consideration and final action, with a recommendation that the Council pass the CenturyLink renewal franchise ordinance along with exhibit A and a side letter of agreement. The City of Portland plans to process this renewal franchise together with a final, separately negotiated telecommunications franchise renewal with QBSI’s parent corporation, who is performing the construction buildout of the renewed cable franchise.

ADOPTED BY THE COMMISSION on March 16, 2015.

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Carol Studenmund, Chair

Reviewed by:

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Benjamin Walters, MHCRC Legal Counsel

Attachments: QBSI d/b/a CenturyLink – Portland Franchise with exhibit and side letter of agreement