

AN ACT

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*Codification  
District of  
Columbia  
Code  
2001 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To approve an extension of the term of the franchise of the District Cablevision Limited Partnership.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Approval of the Extension of the Term of District Cablevision Limited Partnership’s Franchise Act of 2000”.

Sec. 2. Definitions.

For the purpose of this act, the term:

- (1) “Cable Television Act” means the Cable Television Communications Act of 1981.
- (2) “CFA” means the Cable Franchise agreement entered into between the District and the District Cablevision Limited Partnership, as amended September 30, 1985.
- (3) “Council” means the Council of the District of Columbia.
- (4) “DCI” means District Cablevision, Inc., a District of Columbia corporation.
- (5) “DCLP” means District Cablevision Limited Partnership, a District of Columbia limited partnership.
- (6) “District” means the District of Columbia.
- (7) “Franchise” means the right granted to DCLP to construct, reconstruct, operate, and maintain a cable television system in the District pursuant to the District of Columbia Cable Television Franchise Award Act of 1984.
- (8) “Franchisee” means DCLP.
- (9) “Franchise Extension Agreement” means the agreement between the District and DCLP which sets forth the agreement between the parties regarding the Franchise extension, subject to Council approval.
- (10) “OCTT” means the District of Columbia Office of Cable Television and Telecommunications, established in section 6 of the Cable Television Act.

Sec. 3. Findings.

The Council finds that:

(1) DCLP currently holds a Franchise from the District, subject to the CFA, Cable Television Act, and other applicable law.

(2) The Franchise was scheduled to expire on March 14, 2000, but was extended on an emergency basis in the Approval of the Extension of the Term of District Cablevision Limited Partnership Franchise in the District of Columbia Emergency Act of 2000.

(3) Pursuant to the District of Columbia Cable Television Franchise Award Act of 1984, the District granted to DCI a 15-year, revocable Franchise to construct, reconstruct, operate and maintain a cable television system within the District, and incorporated the CFA within the grant of the Franchise.

(4) Pursuant to the Cable Television Franchise Agreement Modification Act of 1985, the District amended the CFA and approved assignment of the Franchise to DCLP, of which the general partner was DCI and of which the limited partner was an affiliate of Tele-Communications, Inc.

(5) Pursuant to the Approval of the Application for Transfer of Control of District Cablevision Limited Partnership from Tele-Communications, Inc. to AT&T Corporation Emergency Act of 1999, and the Application for Transfer of Control of District Cablevision Limited Partnership from Tele-Communications, Inc. to AT&T Corporation Temporary Act of 1999, the District approved a transfer of control of Tele-Communications, Inc., the parent corporation of TCI of D.C., Inc., which was the limited partner of DCLP, to AT&T and approved transfer of control of the Franchise to AT&T.

(6) Pursuant to the Approval of the Application for Transfer of Control of District Cablevision, Inc. to AT&T Corp. Emergency Act of 1999, the District approved a transfer of control of DCI to AT&T.

(7) The Council believes that it would be in the best interests of the District and District residents to extend the term of the Franchise until September 14, 2000, in order to permit the parties to negotiate a franchise renewal agreement, and to permit the Mayor, by Executive Order, to execute month-to-month extensions of the term up to an additional 6 months after September 14, 2000, as the Mayor deems necessary, in order to permit the conclusion of the franchise renewal negotiations and action by the Council on any proposed renewal of the Franchise.

(8) On March 3, 2000, DCLP and the District entered into a Franchise Extension Agreement which set forth the terms and conditions of a Franchise extension, subject to Council approval.

(9) Based on the promises contained in the Franchise Extension Agreement and the interests of the District and DCLP in extending the term of the Franchise in order to permit the parties to attempt to negotiate a franchise renewal agreement, OCTT has recommended that the Council approve the extension of the Franchise term.

**Sec. 4. Consideration of recommendation.**

The Council has reviewed the recommendation of OCTT.

**Sec. 5. Adoption of recommendation.**

Pursuant to authority granted under the Cable Television Act, the Council hereby adopts the recommendation of OCTT regarding the proposed Franchise extension.

**Sec. 6. Approval.**

By adoption of the recommendation, the Council hereby grants an extension of the term of the Franchise until September 14, 2000, and authorizes the Mayor to execute thereafter up to 6 one-month extensions of the term of the Franchise, as deemed necessary by the Mayor, so as to extend the Franchise to a date no later than March 14, 2001.

**Sec. 7. Interpretation.**

The Council, as the franchising authority intends that this act constitutes a final decision of the franchising authority for purposes of section 617 of the Communications Act of 1934 and the consent of the Council required under the Cable Television Act.

**Sec. 8. Fiscal impact statement.**

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

**Sec. 9. Applicability.**

This act shall apply as of March 7, 2000.

**Sec. 10. Effective date.**

This act shall take effect following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in

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section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia