

ORDINANCE NO. 3310

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ACTING IN THEIR CAPACITY AS A REGULATORY AUTHORITY UNDER THE 1992 CABLE ACT, ESTABLISHING MAXIMUM RATES FOR REGULATED EQUIPMENT AND INSTALLATION FOR BASIC CABLE SERVICE PROVIDED WITHIN THE CITY OF MESQUITE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Mesquite as the franchising authority for cable television within the City of Mesquite is certified to regulate basic rates of cable television pursuant to the 1992 Cable Act ("the Act") and Federal Communications Commission ("FCC") Rules; and

WHEREAS, on March 1, 1999, TCI Cablevision of Dallas, Inc. ("TCI") submitted FCC Form 1205 to justify maximum rates for regulated equipment and installation which the City had ninety days to review after which time TCI may implement such rates unless the rates are determined by the City to be unreasonable; and

WHEREAS, on June 21, 1999, the City Council conducted a public hearing on the rate submission as provided by law; and

WHEREAS, based upon analysis of FCC Form 1205 the City has the information necessary to determine and establish reasonable maximum charges for regulated cable equipment and installation service.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That based upon the review and analysis made by the City of the rates submitted by TCI with its Form 1205 to the City of Mesquite on March 1, 1999, and amendments thereto, and pursuant to the 1992 Cable Act, and FCC rules, the City Council of the City of Mesquite sets the maximum rates for regulated equipment and installation as follows:

<u>Installation Rates</u>	<u>Rate</u>
Installation of Unwired Homes	\$39.95
Installation of Prewired Homes	21.50
Installation of Additional Connects Initial	13.95
Installation of Additional Connects Separate	18.95
Relocate Outlet	18.95
Upgrade non-addressable	13.95
Downgrade non-addressable	8.95
Upgrade/Downgrade addressable	1.99
Connect VCR Initial	5.95
Connect VCR Separate	12.95
Hourly Service Charge	27.00

<u>Lease Rates</u>	<u>Monthly Rate</u>
Remotes	\$.35
Basic Only Converter	1.60
Non-Basic Only Converter	3.50

SECTION 2. That by adopting this ordinance, the City Council of the City of Mesquite is not approving or acquiescing in any way whatsoever to cost data and/or methodologies not specifically addressed in this ordinance. Additionally, the City Council of the City of Mesquite is not waiving any right of which it is entitled.

SECTION 3. That should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the effective date of these maximum charges for regulated equipment and installation shall be as of June 1, 1999, and shall be effective through May 31, 2000.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on first reading on the 6th day of July, 1999.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on second and final reading on the 19th day of July, 1999.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B. Smith
City Attorney