

**RESOLUTION SUPPORTING LOCAL CONTROL
OF CABLE FRANCHISING AND MUNICIPAL BROADBAND**

Moved by M. Kukuk, Clawson

Supported by S. Newman, Royal Oak

WHEREAS, telephone companies are lobbying our State and Federal legislature to change cable laws to allow them to offer cable television services over their telephone lines without obtaining local consent and without local regulations; and,

WHEREAS, Senate Bill No. 1157 was introduced in the Michigan Senate on March 16, 2006, and referred to the Committee on Technology and Energy; and,

WHEREAS, Senate Bill No. 1157 eliminates local control over cable television franchising, and would eliminate any requirement for cable companies to serve all residents, harming Michigan residents from inner cities to rural areas, along with economic development; and,

WHEREAS, on August 2, 2005, Senators John Ensign and John McCain introduced the Broadband Investment and Consumer Choice Act of 2005 (S. 1504); and,

WHEREAS, on June 30, 2005, Senators Smith and Rockefeller introduced the Video Choice Act of 2005 (S.1349); and,

WHEREAS, on June 30, 2005, Congressmen Blackburn and Wynn introduced the Video Choice Act of 2005 (HR. 3146); and,

WHEREAS, these bills would preempt all local authority over the provision of cable and video services within the community, including the ability of the

local government to provide appropriate oversight to entities conducting business within their jurisdiction and in the local public rights-of-way; and,

WHEREAS, municipalities must retain local control over cable television franchising, especially where the private sector does not. Local control of cable television franchising is essential for economic development and municipalities need the flexibility to help our residents and improve our economy; and,

WHEREAS, the Metro Act, Act 48 of 2002 was enacted three (3) years ago to resolve issues regarding telephone company use of municipal rights-of-way and the payment for the fair market rental of such use.

NOW, THEREFORE, BE IT RESOLVED that the Intergovernmental Cable Communications Authority, which serves the Cities of Troy, Huntington Woods, Pleasant Ridge, Rochester, Rochester Hills, Royal Oak, Auburn Hills, Clawson, Berkley, Ferndale and Oakland Township opposes the proposed telecommunication legislation for the following reasons:

1. It is vitally important to maintain local control in negotiating and administering cable franchise agreements. The proposed State Bill would shift these responsibilities to the State level, which cannot address important needs of our communities, which arise on a daily basis.

2. The proposed Federal legislation will shift these responsibilities to the FCC, which likewise cannot address important needs of our communities, which arise on a daily basis.

3. Municipalities must retain local control over cable television franchising in order to serve their citizens and provide for economic development of our community. The proposed legislation would prohibit municipalities from providing these essential services.

4. The municipalities have a fiduciary obligation to their citizens to manage and properly maintain all of its public rights-of-way. Cable franchise fees provide municipalities with significant revenue, which is used to provide municipal services to all of our citizens. The proposed federal and state legislation would eliminate cable franchise fees and local control of the public rights-of-way.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to our elected representatives in Washington and Lansing, the FCC, Senators McCain, Ensign, Smith and Rockefeller, and Congressmen Blackburn and Wynn.

Adopted this 22nd day of March 2006.

AYES: Auburn Hills, Berkley, Clawson, Oakland Township, Royal Oak, Troy _____

NAYS: _____

PRESENT: Auburn Hills, Berkley, Clawson, Oakland Township, Royal Oak, Troy _____

ABSENT: Ferndale, Huntington Woods, Pleasant Ridge, Rochester, Rochester Hills _____

Cindy Stewart, Chairperson of the
Intergovernmental Cable Communications
Authority