

## City/County Telecommunications Commission

### RESOLUTION 2024 – 02

#### Regarding Recommendations to Award PEG Capital Support Funds to Public Users of Comcast Business Services

##### Section 1. Findings

- 1.1 Under the terms of the cable television franchise agreements between the City of Vancouver (“City”), Clark County (“County”) and Comcast of Washington V, LLC adopted June 2013, funding is available to support Public, Educational and Governmental (“PEG”) Access capital costs and monthly transport costs by public users related to Comcast Business Services.
- 1.2 As stated in pertinent part in Section 9.9 of the franchise, “Support for Access Capital Costs,” “...Grantee (Comcast) shall provide for a maximum of one dollar (\$1.00) per month, per Residential Subscriber (the “Capital Contribution”) for Public, Educational and Governmental (“PEG”) Access capital.”
- 1.3 The City/County Telecommunications Commission (“Commission”) is authorized in Vancouver Municipal Code 5.19.300, and in Clark County Code 36.12.160 to administer Ordinances and any franchise granted pursuant to the implementation of franchise compliance procedures.
- 1.4 The Commission’s authorized duties include having “...primary responsibility for advising the City and County regarding public, educational and governmental access programming including the development of processes for the selection of designated access providers, and for evaluating their performance, for assigning and designating access channels, for allocating access funds and for making written reports and recommendations to the City and County Councils.”
- 1.5 After review of requests for PEG grant awards from public users of Comcast Business Services, the Commission in 2018 recommended to Vancouver City Council and the Clark County Council an annual award from the PEG Capital Support Fund of \$226,200 for the next five years and one-half years, until the expiration of the Comcast Cable Franchise on June 30, 2023, to be divided among Comcast Business Services users, the City of Vancouver, Clark County, Fort Vancouver Regional Library District and the Clark County Fire District 5, for monthly transport costs
- 1.6 In order to provide for sufficient time to negotiate replacement franchises, the City of Vancouver and Clark County extended the current franchise agreements with Comcast of Washington, V LLC through June 30, 2024.
- 1.7 At the recommendation of the Commission, the City of Vancouver and Clark County also extended the term of the PEG Capital Support Grant Program

agreement with public users of Comcast Business Services through June 30, 2024, to align with the expiration of the current franchise agreement.

- 1.8 Due to the impacts of the Federal Communications Commission Order 621, the renewed cable franchise agreements with Comcast Cable Communications Management, LLC, recommended for approval by the Commission in Resolution 2024-01, will not allow for future award of funds to public users of Comcast Business Services to offset transport costs from the PEG Capital Support Grant Program.
- 1.9 If approved by the City Council and County Council, the renewed cable franchise agreements will be in effect July 1, 2024.
- 1.10 Adequate funding reserves in the PEG Capital Support Grant Program, collected under the current cable franchises would allow one additional grant award to public users of Comcast Business Service, the Commission recommends an extension of the grant award through March 1, 2025.

**NOW, THEREFORE BE IT RESOLVED:**

**Section 2.**

- 2.1 The Commission recommends that upon signing the required PEG Capital Grant agreements, the City of Vancouver, Clark County, the Fort Vancouver Regional Library District and Clark County Fire District 5 be awarded PEG Capital Support Funds as follows:

Comcast Business Services Users	Annual Amount
• City of Vancouver	\$64,000
• Clark County	\$92,000
• Fort Vancouver Regional Library District	\$61,000
• Clark County Fire District 5	\$9,200
Total PEG Access Capital Grant Funds	\$226,200

- 2.2 The Commission request that staff forward this Resolution to the Vancouver City Council and the Clark County Council, as well as to the applicants for these funds.
- 2.3 The Commission recommends that the Vancouver City Council and Clark County Council award funds to City of Vancouver, Clark County, the Fort Vancouver Regional Library District and Clark County Fire District 5 as set forth in Section 2.1.

**Approved (Date): April 3, 2024**

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**Paul Dicker, Chair, City/County Telecommunications Commission**