



# CITY OF CONCORD

## REPORT TO MAYOR AND THE CITY COUNCIL

**FROM:** James W. Kennedy, City Solicitor  
**DATE:** December 8, 2021  
**SUBJECT:** Atlantic Broadband Cable Franchise

### **Recommendation:**

Accept this report and authorize the City Manager to execute the attached Cable Television Franchise Agreement between the City of Concord and Atlantic Broadband.

### **Background**

Following Atlantic Broadband's expressed interest in constructing and operating a cable television system in the City, on September 20, 2021, in accordance with RSA 53-C, the City Council held a public hearing to preliminarily determine whether Atlantic Broadband has the capability, under the terms set forth in RSA 53-C:3-a to construct and operate a cable television system in the City. The City Council kept the record open for two weeks following the September 20, 2021 public hearing for Atlantic Broadband and other interested persons to submit further testimony. As of October 4, 2021, all testimony was submitted relative to the RSA 53-C public hearing, and the City administration has reviewed the testimony.

On October 11, 2021, the City Council authorized the City Manager to enter into negotiations with Atlantic Broadband to determine whether the parties can agree upon the terms and conditions of a Franchise Agreement to authorize Atlantic Broadband to construct and operate a cable television system in the City.

### **Discussion**

The City has concluded its negotiations with Atlantic Broadband. The attached Franchise Agreement is consistent with the requirements set forth in RSA chapter 53-C and the guidance and applicable information provided at the September 20, 2021 public hearing. The Franchise Agreement will bring an additional cable television system to the City which creates competition in the City's cable television system market. This additional Franchise Agreement provides Concord citizens with the option to choose between cable television system operators for their cable services.