



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: James W. Kennedy, City Solicitor

DATE: October 5, 2021

SUBJECT: Atlantic Broadband Cable Franchise

Recommendation:

Accept this report and authorize 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.

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.

At this juncture, all testimony has been submitted relative to the RSA 53-C public hearing. The City administration has reviewed the testimony, and, without waiving any of the City's rights to negotiate all terms and conditions relative to a cable television franchise agreement, the City administration believes there is a sufficient basis for the City to proceed forward with negotiations regarding Atlantic Broadband's request to construct and operate a cable television system in the City.

Discussion

In light of the testimony and information submitted relative to the RSA 53-C public hearing, authorize the City Manager to start negotiations with Atlantic Broadband to determine whether the City and Atlantic Broadband can agree upon the terms and conditions of a franchise agreement for Atlantic Broadband to construct and operate a cable television system in the City.