

**LONDONDERRY TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE 2021- _____

**ORDINANCE OF THE TOWNSHIP OF LONDONDERRY AUTHORIZING
EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE
TOWNSHIP AND
VERIZON PENNSYLVANIA LLC**

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Township of Londonderry (hereinafter the “Township”) is authorized to grant franchises to construct, operate and maintain a Cable System within the Township’s jurisdiction; and

WHEREAS, effective October 21, 2008, the Township granted Verizon Pennsylvania, LLC (hereinafter the “Verizon”) a nonexclusive initial franchise to install, maintain, extend, and operate a Cable System in the Township for a term of ten (10) years (the “Initial Franchise”); and

WHEREAS, Verizon has operated a Cable System in accordance with the Initial Franchise on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network (“FTTP Network”) in the Township which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement; and

WHEREAS, Verizon has requested that the Township renew Verizon’s franchise to provide cable service to residents of the Township; and

WHEREAS, pursuant to and in accordance with applicable federal and state law, the Township undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal; and

WHEREAS, the Township has examined the past performance of Verizon and has identified the Township’s future cable-related needs and interests;

WHEREAS, following good faith negotiations between the parties, the Township and Verizon have agreed on the terms for a Franchise Renewal Agreement under which Verizon will continue to operate its Cable System in the Township;

WHEREAS, the Township held a public hearing on the subject of cable franchise

renewal, including reviewing the cable operator's past performance and identifying the Township's future cable-related community needs; and

WHEREAS, the Township has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations.

NOW THEREFORE, BE IT ORDAINED that the Township Board of Supervisors does hereby approve the Cable Franchise Agreement negotiated with Verizon, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ENACTED AND ORDAINED this ____ day of _____, 2020.

ATTEST:

TOWNSHIP OF LONDONDERRY

Chairman, Township Board of
Supervisors