

EXHIBIT B

TOWN OF ADDISON
CABLE TELEVISION ORDINANCE
ENACTED MARCH 8, 1988

Section 1: Purpose

This ordinance authorizes the municipal officers to control the franchising and regulation of cable television systems using public ways in the Town of Addison (hereinafter "the Town") in order to assure that the needs and interests of the local citizens are adequately met; and to determine, according to the judgment of the municipal officers, the type and degree of regulations deemed to be in the best interests of the citizens of the Town. Cable television systems located in accordance with this ordinance, implementing regulations and franchises are not considered defects in public ways.

Section 2: General Requirements

- A. This ordinance and any amendment thereto requires a seven day notice of the meeting at which the ordinance or amendments to ordinance, are to be proposed and acted upon. Said notice shall be given in the manner provided for town meetings and such ordinances shall be effective immediately upon adoption.
- B. Any cable television system shall be constructed and operated in accordance with Federal Communications Commission regulations.
- C. No cable television company, notwithstanding any provision in a franchise, may abandon service or any portion thereof without having given 6 months' prior written notice to the Town and to any other town, which may be affected by the abandonment. Any cable television company, which violates this paragraph, shall be subject to a fine of \$50.00 a day, for each day that the violation continues.
- D. Cable television systems, as a condition of franchise, shall be operated in such a manner as to provide a safe, adequate and reliable service to subscribers.
- E. The Town shall be entitled to injunctive relief in addition to any other remedies available by law to protect any rights conferred by this ordinance or State Law. (30 M.R.S.A. Section 2158).

Section 3: Franchise Required

No person, firm, or corporation shall install, maintain, or operate within the Town or place or maintain along the Town's public ways, any cable television system and appurtenances, or parts thereof, unless a franchise authorizing the use of said public ways has first been obtained pursuant to the provisions of this ordinance and unless said franchise is in full force and effect.

Section 4: Determination of Public Needs

In order to determine special local needs or interests, the Town shall, prior to the issuance of a request for proposals from one or more cable television operators, maintain the proposed request for proposals on the agenda of its governing body for a period of two weeks during which two-week period the citizens of the Town may comment on the proposed request for proposals.

Subsequent to the close of the two-week comment period, the Town shall issue its request for proposals and applications shall be submitted in accordance with the provisions of Section 5.

Section 5: Franchise Procedures

Applicants for a non-transferable franchise shall pay a non-refundable filing fee to the Town of \$25.00 (twenty-five dollars) to defray the cost of public notice, advertising, and other expenses incurred in acting upon applications.

The application shall be filed with the Town Clerk and shall contain such information as the Town may require, including but not limited to a construction schedule; a general description of the applicant's proposed operation; a written commitment to timely service; the restoration of property, and a schedule of proposed charges; a statement detailing its business or corporate organization; and a statement detailing the prior operational experience of the applicant in cable television systems and/or microwave services.

Before authorizing the issuance of any such franchise, the Town shall allow a reasonable opportunity for public input. Upon filing, any franchise application and related documents are public records. Such applications and related documents shall be open for inspection by the public during reasonable hours.

Section 6: Franchise Agreements or Contracts

The Town may contract on such terms and conditions and impose such fees as its municipal officers determine to be in the best interest of the municipality and its residents, including the grant of exclusive or non-exclusive franchises for a period not to exceed fifteen (15) years for the placing and maintenance of cable television systems and appurtenances, or parts thereof, along public ways and including contracts with cable television companies which receive the services of television signal transmissions offered by any public utilities using public ways for such transmission. Each franchise shall contain the following provisions:

(a) area of areas to be served; (b) a line extension policy; (c) a provision for renewal, the term of which shall not exceed fifteen (15) years; (d) procedures for the investigation and resolution of complaints by the cable television company; (e) procedures for revoking the franchise or contract by the Town for good and sufficient cause after due notice to the cable television company and a public hearing thereon with the right of appeal to the Maine Superior Court under rule 80-B of the Maine Rules of Civil Procedure; and (f) such other terms and conditions which are in the best interests of the municipality.