

RESOLUTION No. 211723

R. 75-719

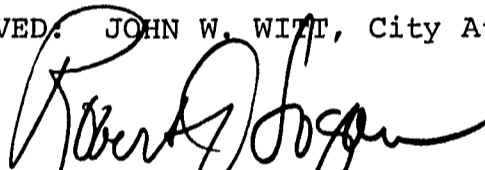
Adopted on OCT 8 1974

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That Council Policy No. 700-33, pertaining to Cable Television Rate Regulation, be and the same is hereby adopted.

APPROVED: JOHN W. WITT, City Attorney

By

  
Robert J. Logan, Deputy

RJL:rp  
9-25-74  
File 490  
490.2  
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COUNCIL POLICY 700-33

DOCUMENT NO. 748857  
FILED OCT 10 1974  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

Subject: CABLE TELEVISION RATE REGULATION

BACKGROUND

In the past there have been no definitive procedures outlined for the initiation or conduct of rate hearings for the cable television companies whose rates are regulated by the City. This has resulted in confusion on the part of applicants as to what information is required when filing for an adjustment in rates and the consequent delay in staff analysis of any applications. It has also led to uncertainty as to the procedures to be followed and matters to be considered during the proceedings. It is therefore desirable to provide a guide for the orderly submission, review and Council consideration of applications for cable television rate adjustments.

PURPOSE

The purpose of this policy is to provide a guide to applicants, staff and Council as to the procedures to be followed in filing, review and consideration of applications for cable television rate adjustments.

POLICY

1. Submission of Financial Data

All cable television franchisees of the City shall be required to regularly submit financial data to the City in a form and at a frequency to be determined by the City Manager. The City Manager shall annually submit to the City Council an analysis of the financial data submitted by the franchisees showing operating results and current rate of return for each company.

211723

2. Application for Rate Adjustment

A hearing on the question of just and reasonable rates for cable television may be initiated by the City Council at any time or shall be initiated upon an application for a rate adjustment by any individual City cable television franchisee. The cable television franchisee's rate application shall contain the information prescribed in City Council Resolution No. 211724. The application and supporting information shall be filed with the City Clerk, who shall place the matter on the next available Council docket. Upon direction by the Council, the City Manager shall undertake a rate study and analysis of the data submitted and shall report his findings to the Council within ninety (90) days.

3. Rate Hearing

A hearing shall be set before the Transportation and Land Use Committee of the City Council within thirty (30) days after the City Manager submits the results of his rate review to the Council. The Committee shall follow the procedures for the conduct of a hearing outlined in City Council Resolution No. 211724.

At the conclusion of the hearing, the Committee shall make a recommendation as to a just and reasonable rate to the City Council. The Council shall then make a finding as to a just and reasonable rate based on the record of the proceeding before the Committee.

In no case shall the total time required from the date an application or investigation is commenced until the Council makes its findings as to just and reasonable rates exceed six (6) months.

4. Level of Service

The City Manager shall make periodic checks on the level of service of each franchise in accordance with the standards established in Ordinance No. 10335. These checks shall be made at a minimum of twice per year and the results reported to the City Council.

Passed and adopted by the Council of The City of San Diego on  
by the following vote:

OCT 8 1974

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By *Patricia Polan*, Deputy.

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SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **211723** Adopted **OCT 8 1974**