

CABLE TELEVISION LICENSE APPLICATION / RENEWAL PROCESS GUIDE

December 2012

The information in this document is intended only to be a guide for the cable television license application process and to point out some of the important issues and requirements that are specified in greater detail in the City Code, Arizona Revised Statutes, and federal law related to cable television licensing. For further guidance, call the Information Technology Services Management Services Administrator at (602) 262-4481.

Under Phoenix City Code Chapter 5, and state and federal law, policy and rules, the City of Phoenix licenses companies to provide cable television services within the City of Phoenix.

Phoenix City Code Chapter 5

All applicants for initial cable television licenses or renewals of existing licenses must follow the requirements and procedures as outlined in [Phoenix City Code](#) Chapter 5. All applicants should thoroughly read and understand Chapter 5 in its entirety before applying for an initial license or renewal of an existing license. The purpose of Chapter 5 is to:

- (a) Provide for the regulation and control of the cable television systems by the City of Phoenix in the public interest.
- (b) To require that the provisions of this chapter shall be applicable to all licenses granted by the City of Phoenix.
- (c) To provide a procedure for the granting of nonexclusive licenses for providing cable services in the City of Phoenix.
- (d) To regulate the erection, construction, reconstruction, installation, operation, maintenance, dismantling, testing, repair and use of cable systems in, upon, along, across, above, over or under or in any manner connected with the streets and public ways within the jurisdiction of the City of Phoenix as now or in the future may exist.
- (e) To provide for the payment of certain license fees and other valuable considerations to the City which, among other purposes, may be used to pay for the use of the streets and public ways and to regulate the construction, reconstruction and operation, use and development of cable systems within the City; and
- (f) To provide conditions under which such licensed cable systems will serve present and future needs of government, public institutions, commercial

enterprises, public and private organizations, and the citizens and general public of the City; and

(g) To provide remedies and prescribe penalties and liquidated damages for any violation of this chapter and the terms and conditions of licenses granted pursuant thereto.

State of Arizona Cable Television Law, Policy and Rules

All applicants for initial cable television licenses or renewals of existing licenses must follow any requirements and procedures as outlined in applicable state law, policy and rules, including Arizona Revised Statutes, Title 9, Chapter 5, Article 1.1. This is in addition to generally applicable construction codes and permitting and regulations on use of the right of way.

Federal Cable Television Law, Policy and Rules

Significant federal cable television requirements include the Communications Act of 1934, the Cable Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, the Telecommunications Act of 1996, 47 C.F.R. Part 76, and Federal Communications Commission requirements. All applicants for initial cable television licenses or renewals of existing licenses must follow any requirements and procedures as outlined in applicable federal law, policy and rules.

City of Phoenix Application Forms for Cable Television License

The City of Phoenix's Application for Cable Television License, to be used to apply for an initial cable television license or a renewal of an existing license, can be obtained at www.phoenix.gov at the [Information Technology Services \(ITS\) department web page](#) or by calling the ITS Management Services Administrator at (602) 262-4481. The City of Phoenix recommends that potential cable television license applicants contact ITS for guidance before formally submitting an application.

Application Fee

The application fee for an initial Cable Television license is \$10,000. The fee is due when submitting an application, and should be remitted to the address noted on the license application form. Renewals of existing licenses do not require a fee.

Licensing Time Frames

The City of Phoenix considers cable television providers as business partners. In return for the use of the city's streets and right of way, cable companies provide valuable services to the city and its residents, businesses, and visitors. The city intends to grant or deny licenses in a reasonable time frame and meet any time frames mandated by city, state and federal requirements. The complexity of cable television licenses, applications, and approvals can vary greatly. A great number and variety of issues

must be reviewed and negotiated. General estimated process time frames follow. All time frames may be extended with agreement of both parties. It may be possible to expedite the time frames for renewal applications.

General time frames:

- Initial review of application for administrative completeness – up to 30 days
 - The initial review will not commence until the application fee and all information requested in the application have been submitted to the city
 - If deficiencies are found during review, the city will notify the applicant of deficiencies that need to be remedied (if so, the review time frame may need to be extended)
- Substantive review of administratively complete application – up to 1 year
 - The city may notify the applicant of additional information that is needed (if so, the review time frame may need to be extended)
 - Draft license sent to applicant
 - If feasible, a draft license would be sent to the applicant concurrent with the substantive review
 - The draft license is intended to frame initial discussions and negotiations between the parties
 - Applicant legal/technical review
 - License negotiations between city and applicant
 - City legal review and preparation for presentation to City Council
 - Public hearing(s) and City Council approval or denial
 - The requirements of Arizona Revised Statute Section 9-507(B) must be met
 - This time frame may be extended if City Council is unavailable -- for example, City Council generally breaks for the summer from early July through late August
 - Waiting period of 30 days following City Council approval

Overall time frame:

Depending on complexities, level of license customization, availability of staff and other resources, and other factors, the overall timeframe can range from as short as a few months to more than a year. An application for an initial license will generally take much longer than an application for a renewal.

Federal law 47 U.S.C. Section 546 specifies processes and time frames for cable license renewal approvals.

Denial of Application for License

If the city denies the application, written justification for the denial will be provided to the applicant, along with information regarding rights of appeal.

Important Terms and Conditions of Cable Television Licenses

Once the application is reviewed and approved, the applicant and the city can begin discussions and drafting of a cable license. Many license terms and conditions are required by City Code Chapter 5, including but not limited to:

- Initial cable licenses cover a term up to 15 years, and are renewable
- Proof of insurance(s) is required
- A performance bond is required
- A security fund is required
- Licensee must fully indemnify the city
- Transfer and change of control of license requires city consent
- Licensee must produce books and records for city's inspection
- Licensee must maintain and provide maps as required by the city
- Applicant must agree to abide by conditions and terms as required by City Council

Contact Information

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