

## **CABLE TELEVISION FRANCHISE EXTENSION AGREEMENT**

This Cable Television Franchise Extension Agreement is made by and between the City of Salem, an Oregon municipal corporation (hereinafter "City"), and Comcast of Oregon I, Inc., an Oregon corporation (hereinafter "Comcast"), for the purpose of extending the terms and conditions of the Cable Television Franchise Agreement entered into by Far-West Communications, Inc., dba Viacom Cable, on September 12, 1994, and subsequently transferred to TCI, AT&T and ultimately to AT&T Comcast, which became Comcast of Oregon I, Inc.

WHEREAS, the parties entered into a Cable Television Franchise Agreement (hereinafter "Franchise Agreement") that was set to expire on February 1, 2010; and

WHEREAS, on January 11, 2010, the Salem City Council authorized the City Manager to execute a Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 180 days; and

WHEREAS, on July 12, 2010, the Salem City Council authorized the City Manager to execute a second Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 180 days; and

WHEREAS, on November 29, 2010, the Salem City Council authorized the City Manager to execute a third Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 180 days; and

WHEREAS, on June 27, 2011, the Salem City Council authorized the City Manager to execute a fourth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 180 days; and

WHEREAS, on January 9, 2012, the Salem City Council authorized the City Manager to execute a fifth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 360 days; and

WHEREAS, on December 10, 2012, the Salem City Council authorized the City Manager to execute a sixth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 360 days; and

WHEREAS, on December 9, 2013, the Salem City Council authorized the City Manager to execute a seventh Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 360 days; and

WHEREAS, on December 1, 2014, the Salem City Council authorized the City Manager to execute an eighth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 360 days; and

WHEREAS, on December 7, 2015, the Salem City Council authorized the City Manager to execute a ninth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 360 days; and

WHEREAS, on November 14, 2016, the Salem City Council authorized the City Manager to execute a tenth Cable Television Franchise Extension Agreement extending the current Franchise Agreement for 90 days; and

WHEREAS, the parties have been engaged in informal renewal proceedings in accordance with the Franchise Agreement; and

WHEREAS, there is insufficient time to complete the franchise renewal process by the extended franchise expiration date of March 31, 2017; and

WHEREAS, it is in the public interest to extend the current Franchise Agreement for an additional period of time to accommodate the renewal process.

**NOW THEREFORE**, in consideration of the mutual benefits and obligations derived by the parties, including Comcast's continuation of franchise rights and the City's benefit in obtaining more time to evaluate the public need and policy concerning a renewed franchise, the parties hereto agree as follows:

1. That the Cable Television Franchise Agreement term is extended until and including June 30, 2017.
2. That all rights and obligations provided to the parties under the Franchise Agreement shall remain in full force and effect, including the rights of the parties under the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996.
3. That neither Comcast nor the City shall assert any claim, denial or defense based upon the original expiration date of the Franchise Agreement.

IN WITNESS WHEREOF, the parties have caused this Cable Television Franchise Extension Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

Comcast of Oregon I, Inc.

City of Salem

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_