

BOROUGH OF DONORA  
ORDINANCE NO. 1265  
REGULATIONS TO IMPLEMENT THE BOROUGH OF DONORA'S  
AUTHORITY TO REGULATE RATES FOR CABLE SERVICE  
UNDER THE CABLE TELEVISION CONSUMER PROTECTION  
AND COMPETITION ACT OF 1992

---

Article I. Adoption of Federal Communications Commission Rate Regulations Promulgated Under The Cable Television Consumer Protection and Competition Act of 1992 ("Act").

Section 1: The rate regulation standards of the Federal Communications Commission ("FCC") in Subpart N-Cable Rate Regulation, 47 CFR 76.900, et seq., as may be amended, are hereby adopted for the review and determination of reasonable and lawful rates for basic service, installation and equipment in the Borough of Donora.

Article II. Review and Evaluation

Section 1: Upon certification of the Borough by the FCC to regulate rates for basic service, installation and equipment, the Borough Council shall notify all cable operators providing service within the Borough of said certification and shall direct each cable operator to file with the Borough Secretary its current schedule of rates and supporting FCC forms and worksheets for basic service, installation and equipment. If a cable operator elects to use a cost of service showing, the operator shall submit cost of service accounts in detail sufficient to support such a showing. Each cable operator shall submit cost of service accounts in detail sufficient to support such a showing. Each cable operator shall submit such number and form of copies as Borough Council shall determine in the notice.

Section 2: Upon receipt of any rate schedule referenced in Article II, Section 1 or of any rate schedule proposing any change in such rates, the Borough Council shall schedule, give public notice and give notice to the cable operator of a period during which the Borough Council will receive written comments from the public and the cable operator on the reasonableness of the rates. The Borough Council President shall preside at a public hearing for the receipt of oral comments. The public hearing for oral comments shall normally be held and the close of the period for written comments shall be scheduled within thirty (30) days of receipt of the rate filing.

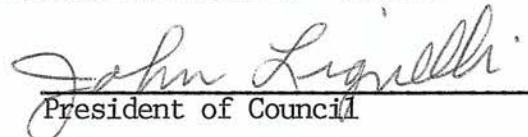
Section 3: The Borough Council shall review the rate filing and the comments received and make an evaluation. If the Borough Council determines that the thirty (30) day period is insufficient to review the filing, the Borough Council shall act to extend the period established for the review as a permitted by the Act and the FCC's regulations to prevent the proposed rates from becoming effective by operation of law.

Section 4: If Borough Council extends the period for the Borough's review of a rate filing pursuant to Article II, Section 3, the period for written comments and the public hearing may be scheduled by the Borough Council at a date later than the 30-day period in Article II, Section 2 provided that such period and hearing be held at such time that the comments received will be available for the Borough Council's consideration in making the evaluation.

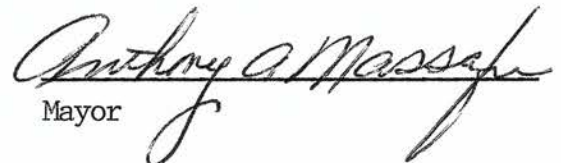
Section 5: Borough Council may waive the requirements of Article II for promotional rate reductions.

Article III: Any Ordinance, or part thereof, conflicting with the terms of this Ordinance is hereby repealed.


ORDAINED AND ENACTED this 29<sup>th</sup> day of DECEMBER, 1993.

  
President of Council

EXAMINED AND APPROVED on this 31 day of DECEMBER, 1993.

  
Mayor

ATTEST:

  
Borough Secretary