

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2023 Legislative Session

Bill No. CB-022-2023 (Draft 2)

Chapter No. 19

Proposed and Presented by The Chair (by request – County Executive)

Introduced by Council Members Harrison, Watson, Ivey, Franklin and Fisher

Co-Sponsors _____

Date of Introduction March 21, 2023

BILL

1 AN ACT concerning

2 Cable Television

3 FOR the purpose of granting a renewal of a franchise for the operation of a cable television
 4 system in the Northern and Southern Territories of Prince George's County (the "County")
 5 and prescribing certain terms and conditions to be included in a franchise agreement.

6
 7 WHEREAS, pursuant to Section 5A-102(d)(1) of the Prince George's County Code, (the
 8 "County Code") the County Council has established, by adoption of Council Resolution
 9 CR-2-1980, the boundaries of a Northern and a Southern Territory for the grant of franchises
 10 for the operation of cable television systems within the County; and

11 WHEREAS, by Council Bill CB-17-1999, the County Council granted a renewal of a
 12 franchise (the "Existing Comcast Franchise Agreement") awarded to Jones Communications of
 13 Maryland, Inc., a Colorado corporation and predecessor in interest to Comcast of Maryland, LLC
 14 (the "Franchisee") to provide cable services within the County; and

15 WHEREAS, the Existing Comcast Franchise Agreement was for a term of fifteen (15)
 16 years and the County and Franchisee desire renewal thereof for an additional ten (10) years; and

17 WHEREAS, the cable franchise renewal process is governed by the Federal Cable Act,
 18 47 U.S.C. §546, et seq., which sets forth both an informal and formal process for renewal; and

19 WHEREAS, after negotiations, the Franchisee and the County have agreed, pursuant to
 20 applicable law, on the terms and conditions of a new franchise agreement (the "Franchise
 21 Agreement"), substantially in the form attached hereto as Exhibit A; and

22 WHEREAS, pursuant to Section 5A-1113(c) of the County Code, the Prince George's

1 County Cable Television Commission (the “Cable Commission”) has reviewed the financial,
 2 technical, legal, and character qualifications of the Franchisee and has forwarded to the County
 3 Council its recommendation for approval of the renewal of a franchise for the operation of a
 4 cable television system in the Northern and Southern Territories of the County, subject to the
 5 terms and conditions of the Franchise Agreement; and

6 WHEREAS, Section 5A-119(g) of the County Code provides that County Council shall
 7 have the sole authority renew franchises; now, therefore,

8 SECTION 1. BE IT ENACTED by the County Council of Prince George’s County,
 9 Maryland, that renewal of the nonexclusive right to construct and operate a cable television
 10 system along the public rights-of-way of the County within the Northern and Southern
 11 Territories as established in Council Resolution CR-21-1980, be and the same is hereby granted
 12 to Comcast of Maryland, LLC.

13 SECTION 2. BE IT FURTHER ENACTED that the franchise renewal granted under this
 14 Act shall be subject to the terms and conditions of the Franchise Agreement.

15 SECTION 3. BE IT FURTHER ENACTED that the County Executive is hereby
 16 authorized and directed to enter into the Franchise Agreement with the Franchisee evidencing
 17 the renewal of the franchise under this Act and the Franchisee’s acceptance of the same. The
 18 Franchise Agreement shall bind the Franchisee to fulfill the requirements set forth in the
 19 Franchise Agreement.

20 SECTION 4. BE IT FURTHER ENACTED that the County Executive is hereby
 21 authorized, empowered and directed to make any modifications, deletions, corrections or other
 22 changes to complete any further negotiations on the Franchise Agreement in any manner in
 23 which the County may deem necessary to complete the transaction but as will not alter the
 24 substance of the Franchise Agreement.

25 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
 26 days after it becomes law.

Adopted this 11th day of April, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive