

MISC7

RESOLUTION NUMBER: 88-60

INTRODUCED BY:

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, RELATING TO A CATV FRANCHISE CONDITIONALLY APPROVING THE TRANSFER OF CABLE TELEVISION SYSTEM AND FRANCHISEE'S RIGHTS EXISTING PURSUANT TO ORDINANCE NO. 82-13, TO CONTINENTAL CABLEVISION OF JACKSONVILLE, INC. AND PROVIDING AN EFFECTIVE DATE.

RE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The transfer of the franchise established by St. Johns County Ordinance 82-13, and the franchise assets from FLORIDA CLEARVIEW, INC. a Florida Corporation, to CONTINENTAL CABLEVISION OF JACKSONVILLE, INC., is hereby authorized subject to the timely occurrence of the conditions described in Section 2, below.

SECTION 2. The transfer authorized by Section 1 of this Resolution may not occur until the filing with the Clerk of St. Johns County of a written understanding executed by an appropriate and authorized officer of CONTINENTAL CABLEVISION, INC., assuming and agreeing to be bound by all terms and conditions of Ordinance No. 82-13 and the cable television franchise established by said Ordinance.

SECTION 3. If the transfer authorized by this resolution does not occur prior to June 1, 1988, evidenced by the filing with the Clerk of St. Johns County by CONTINENTAL CABLEVISION OF JACKSONVILLE, INC., of a certificate of completion of the transfer, which certificate shall be filed on or before June 1, 1988, then the consent reflected by this Resolution shall be deemed rescinded ab. initio.

SECTION 4. This Resolution shall take effect upon passage.

PASSED by the Board of County Commissioners of St.

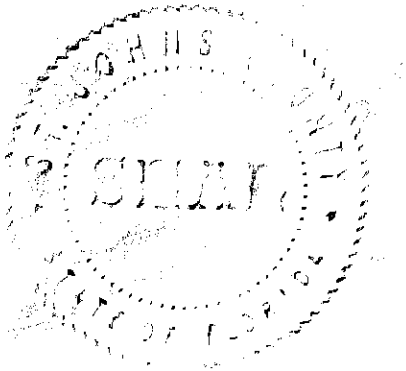
Johns County, State of Florida, this 8th day of March,
1988.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

By Lawrence D. Hartley
Its Chairman

ATTEST:

By Ann M. McDonald
Deputy Clerk



February 17, 1988

Ms. Phyllis Lydon
Chairman
St. Johns County Commissioners

RE: Request for Transfer of Cable Franchise from Florida Clearview, Inc.
to Continental Cablevision of Jacksonville Associates, Inc.

Dear Phyllis,

Clearview Properties, Ltd., has entered into an agreement with Continental Cablevision to purchase Clearview's 13 cable systems. As you know, Florida Clearview is the general partner of Clearview Properties, Ltd., and holder of the Southwest St. Johns cable franchise.

We have the franchise for the Town of Hastings and from this town we are serving the Southwest St. Johns County area. We currently have 160 customers on the Hastings cable system but only 63 customers are presently being served cable in Southwest St. Johns County.

Potential growth in this area in the next several years is very limited. The only extension that is forecasted is a mile or two of cable which will serve a hundred homes. This can be done within the next year.

Continental Cablevision has expressed concern over the ordinance that requires "change of ownership" to upgrade the existing facilities to that of other cable systems. Based on the number of customers that we have and the limited potential growth in this area for the next several years, it is not economically feasible to require the new owners to upgrade the cable system to 50 channels.

In lieu of this situation, I believe Continental Cablevision of Jacksonville Associates, Inc., will agree to upgrade the cable system with another 6 channels by the end of 1988 and that future programming will be determined by future interest.

Sincerely,



Bill Newton
Vice-President

BN/dd



Continental Cablevision of Jacksonville

February 22, 1988

Mr. David Halstead
St. John's County Commission
4015 Lewis Speedway
St. Augustine, Florida 32084

Dear David:

Per my conversations with Bill Newton of Florida/Clearview, enclosed please find Continental Cablevision of Jacksonville's application for transfer of the Hastings franchise from Florida/Clearview. If I can provide more information, please do not hesitate to call.

Many thanks.

Sincerely,

A handwritten signature in cursive script, appearing to read 'David T. Reid'.

David T. Reid
Director of Community Relations
Continental Cablevision

DTR/dar

INTRODUCTION

Continental Cablevision of Jacksonville, Inc., is a Florida Corporation and a wholly owned subsidiary of Continental Cablevision, Inc., the third largest cable television operator in the United States. The parent company has over twenty-three years of experience in the industry and serves over three hundred communities throughout the country. Continental Cablevision of Jacksonville, Inc., with its background and experience in Florida and around the nation is uniquely able to carry its excellent record of service into the Northeast St. Johns County area.

Neither applicant nor its corporate parent have any cognizable interest in a national broadcast television network, a television broadcast station or a telephone company operating in St. Johns County.

DIRECTORS AND OFFICERS OF
CONTINENTAL CABLEVISION OF JACKSONVILLE, INC.

| | |
|------------------------|------------------------------------------------|
| AMOS B. HOSTETTER, JR. | CHAIRMAN/DIRECTOR CHIEF EXECUTIVE OFFICER |
| TIMOTHY P. NEHER | PRESIDENT/DIRECTOR, CHIEF OPERATING OFFICER |
| JEFFREY T. DELORME | SENIOR VICE PRESIDENT |
| NANCY HAWTHORNE AGNE | SENIOR VICE PRESIDENT/ TREASURER |
| W. LEE H. DUNHAM | SECRETARY |
| DAVID CARL | ASSISTANT SECRETARY |
| ROBERT LUICK | ASSISTANT SECRETARY/ DIRECTOR |

No officer or director of CONTINENTAL CABLEVISION OF JACKSONVILLE, INC., has ever been convicted in a criminal proceeding and neither CONTINENTAL CABLEVISION OF JACKSONVILLE, INC., nor its parent have ever been a party to a civil proceeding in which it was held that there were unfair or anti-competitive business practices, anti-trust violations, violations of securities laws or false or misleading advertising.

A sister company of CONTINENTAL CABLEVISION OF JACKSONVILLE, INC. is presently in litigation. Continental Cablevision of St. Paul, Inc. is a party to a proceeding in the U.S. District Court for the District of Minnesota, styled Nor-West Cable Communications Partnership v. City of St. Paul, et al. Continental Cablevision of St. Paul, Inc. intervened in this proceeding as a party defendant in an action brought against the City of St. Paul by an unsuccessful bidder for the franchise who alleged that the franchise process was unconstitutional. The Plaintiff originally alleged that the City and Continental Cablevision of St. Paul, Inc. violated anti-trust laws, but that count was dismissed by the Court.

SUBSCRIBER RATES AND CHANNEL LINE-UP

Applicant intends to commence operations with the same subscriber rates as the existing franchisee. Thereafter, applicant will provide additional programming services based upon input from subscribers as to what additions are necessary.

The intended Channel Line-Up is as follows:

HASTINGS

CHANNEL LINE-UP

| <u>CHANNEL</u> | <u>PROGRAMMING</u> |
|----------------|--------------------|
| 2 | LIFETIME |
| 3 | USA |
| 4 | WJXT |
| 5 | WNFT |
| 6 | NICKELODEON |
| 7 | WJCT |
| 8 | PTL |
| 9 | ESPN |
| 10 | WJKS |
| 11 | BET |
| 12 | WTLV |
| 13 | WAWS |
| 17 | CINEMAX |
| 19 | WBTS |
| 20 | CNN |
| 21 | NASHVILLE |
| 24 | HOME BOX OFFICE |

SYSTEM TECHNICAL CONFIGURATION

AND OPERATIONAL SYSTEM DESCRIPTION

This issue does not need to be addressed since this is a transfer of an existing system.

ADMINISTRATION AND EMPLOYMENT

PRACTICES AND POLICIES

Applicant will increase staff as necessary to provide improved customer service. Service personnel will be available by phone twenty-four hours per day and applicant will provide repair responses within twenty-four hours. Initially significant resources will be drawn from applicant's existing operation to assist in a prompt system upgrade with as little service interruption as possible.

Applicant is an Equal Opportunity Employer and draws on the local area to ensure that its staff reflects the demographic make-up of the community.