

(a) Applications for a franchise may include proposals for the provision of public, education, local government, and leased access channels limited not only to video, but also including audio, FM, and data channels. Such proposals by a Grantee may be incorporated into the Franchise Certificate granted and, to the extent so incorporated, shall subject the Grantee to the following minimum requirements:

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JAMES CITY COUNTY  
VIRGINIA

1. The Grantee shall have available a studio and equipment located within the County for local production and presentation of cablecast programs other than automated services and permit its use for the production and presentation of public access programs. This studio and equipment shall be operational no later than six months after the first subscribers begin receiving cablecasting. The Grantee shall not enter into any contract, arrangement, or lease for use of its cablecast equipment which prevents or inhibits the use of such equipment for a substantial portion of time for public access programming.

2. The grantee shall have no control over the content of access cablecast programs; however, this limitation shall not prevent taking appropriate steps to insure compliance with the operating rules described herein.

3. The public access channel(s) shall be made available to residents of the County on a nondiscriminatory basis, free of charge. Charges for equipment, personnel, and production of public access programming shall be reasonable and consistent with the goal of affording users a low-cost means of television access. No charges shall be made for the production of live public access programs not exceeding five minutes in length, or for the replay of user-supplied tapes which are in a form compatible with the Grantee's playback facilities. The grantee shall adopt operating rules for the public access channel(s), to be filed with the Cable Communications Administrator prior to the activation of the channel(s), designed to prohibit the presentation of: any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information; and defamatory, obscene or indecent matter, as well as

rules requiring nondiscriminatory access, and rules permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

4. The education access channel(s) shall be made available for the use of local public educational authorities and private non-profit educational telecommunication entities free of charge. The Grantee shall adopt operating rules for the education access channel(s), to be filed with the Cable Communications Administrator prior to activation of the channel(s), designed to prohibit the presentation of: any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information and defamatory, obscene, or indecent matter, as well as a rule permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

5. The local government access channel(s) shall be made available for the use of local government authorities free of charge.

6. The leased access channel(s) shall be made available to leased users. Priority shall be given part-time users on at least one channel. The Grantee shall adopt operating rules for the channel(s), to be filed with the Cable Communications Administrator prior to activation of the channel(s), designed to prohibit the presentation of: lottery information, obscene or indecent matter and shall establish rules to this effect; and other rules requiring nondiscriminatory access, sponsorship identification, specifying an appropriate rate schedule and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting time. Such a record shall be retained for a period of two years.

(b) The Grantee shall provide without charge one service outlet activated for regular subscriber service to each fire station, public school, police station, public library, and such buildings used for public purposes as may be designated by the County; provided, however, that if it is necessary to extend a Grantee's trunk or feeder lines more than three hundred (300) feet solely to provide service to any such school or public building, the County shall have the option either of paying the Grantee's direct costs for such extension in excess of three hundred (300) feet, or of releasing the Grantee from the obligation to provide service to such building. Furthermore, a Grantee shall be permitted to recover, from any public building owner entitled to free service, the Grantee's actual cost for any additional converters required and the direct cost of installing, when requested to do so, more than one outlet, or concealed inside wiring, or a service outlet requiring more than two hundred-fifty (250) feet of drop cable; provided, however, that the Grantee shall not charge for the provision of regular subscriber service to the additional service outlets so installed in public schools, police stations, fire stations, public libraries, and County offices in addition to any such other facilities as are specified in the Grantee's Franchise Certificate.

(c) The system shall be capable of two-way communication as defined by Article 2, Section 4-86.1.3-1 on at least four (4) channels.

(d) The Grantee shall incorporate into its cable communications system the capability which will permit the County in times of emergency to override the audio portion of all channels simultaneously. The Grantee shall designate a channel which will be used for emergency broadcasts of both audio and video. The Grantee shall cooperate with the County in the use and operation of the emergency alert override system.