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(7) The term of the agreement proposed by the applicant;

(8) Whether the applicant holds an existing authorization to access the public rights-of-way in the subject franchise service area as described under paragraph (b)(5) of this section;

(9) The amount of the franchise fee the applicant offers to pay; and

(10) Any additional information required by applicable State or local laws.

(c) A franchising authority may not require a competitive franchise applicant to negotiate or engage in any regulatory or administrative processes prior to the filing of the application.

(d) When a competitive franchise applicant files a franchise application with a franchising authority and the applicant has existing authority to access public rights-of-way in the geographic area that the applicant proposes to serve, the franchising authority must grant or deny the application within 90 days of the date the application is received by the franchising authority. If a competitive franchise applicant does not have existing authority to access public rights-of-way in the geographic area that the applicant proposes to serve, the franchising authority must grant or deny the application within 180 days of the date the application is received by the franchising authority. A franchising authority and a competitive franchise applicant may agree in writing to extend the 90-day or 180-day deadline, whichever is applicable.

(e) If a franchising authority does not grant or deny an application within the time limit specified in paragraph (d) of this section, the competitive franchise applicant will be authorized to offer service pursuant to an interim franchise in accordance with the terms of the application submitted under paragraph (b) of this section.

(f) If after expiration of the time limit specified in paragraph (d) of this section a franchising authority denies an application, the competitive franchise applicant must discontinue operating under the interim franchise specified in paragraph (e) of this section unless the franchising authority provides consent for the interim franchise to continue for a limited period of

time, such as during the period when judicial review of the franchising authority's decision is pending. The competitive franchise applicant may seek judicial review of the denial under 47 U.S.C. 555.

(g) If after expiration of the time limit specified in paragraph (d) of this section a franchising authority and a competitive franchise applicant agree on the terms of a franchise, upon the effective date of that franchise, that franchise will govern and the interim franchise will expire.

[72 FR 13215, Mar. 21, 2007]

**Subpart D—Carriage of Television Broadcast Signals**

**§76.51 Major television markets.**

For purposes of the cable television rules, the following is a list of the major television markets and their designated communities:

- (a) First 50 major television markets:
  - (1) New York, New York-Linden-Paterson-Newark, New Jersey.
  - (2) Los Angeles-San Bernardino-Corona-Riverside-Anaheim, Calif.
  - (3) Chicago, Ill.
  - (4) Philadelphia, Pa.-Burlington, N.J.
  - (5) Detroit, Mich.
  - (6) Boston-Cambridge-Worcester-Lawrence, Mass.
  - (7) San Francisco-Oakland-San Jose, Calif.
  - (8) Cleveland-Lorain-Akron, Ohio.
  - (9) Washington, DC.
  - (10) Pittsburgh, Pa.
  - (11) St. Louis, Mo.
  - (12) Dallas-Fort Worth, Tex.
  - (13) Minneapolis-St. Paul, Minn.
  - (14) Baltimore, Md.
  - (15) Houston, Tex.
  - (16) Indianapolis-Bloomington, Ind.
  - (17) Cincinnati, Ohio-Newport, Ky.
  - (18) Atlanta-Rome, Ga.
  - (19) Hartford-New Haven-New Britain-Waterbury-New London, Ct.
  - (20) Seattle-Tacoma, Wash.
  - (21) Miami, Fla.
  - (22) Kansas City, Mo.
  - (23) Milwaukee, Wis.
  - (24) Buffalo, N.Y.
  - (25) Sacramento-Stockton-Modesto, Calif.
  - (26) Memphis, Tenn.
  - (27) Columbus-Chillicothe, Ohio.

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- (28) Tampa-St. Petersburg-Clearwater, Florida.
- (29) Portland, Oreg.
- (30) Nashville, Tenn.
- (31) New Orleans, La.
- (32) Denver-Castle Rock, Colorado.
- (33) Providence, R.I.-New Bedford, Mass.
- (34) Albany-Schenectady-Troy, N.Y.
- (35) Syracuse, N.Y.
- (36) Charleston-Huntington, W. Va.
- (37) Kalamazoo-Grand Rapids-Battle Creek, Mich.
- (38) Louisville, Ky.
- (39) Oklahoma City, Okla.
- (40) Birmingham, Ala.
- (41) Dayton-Kettering, Ohio.
- (42) Charlotte, N.C.
- (43) Phoenix-Mesa, Ariz.
- (44) Norfolk-Newport News-Portsmouth-Hampton, Va.
- (45) San Antonio, Tex.
- (46) Greenville-Spartanburg-Anderson, S.C.-Asheville, N.C.
- (47) Greensboro-High Point-Winston Salem, N.C.
- (48) Salt Lake City, Utah.
- (49) Wilkes Barre-Scranton, Pa.
- (50) Little Rock-Pine Bluff, Arkansas.
- (b) Second 50 major television markets:
  - (51) San Diego, Calif.
  - (52) Toledo, Ohio.
  - (53) Omaha, Nebr.
  - (54) Tulsa, Okla.
  - (55) Orlando-Daytona Beach-Melbourne-Cocoa-Clermont, Florida.
  - (56) Rochester, N.Y.
  - (57) Harrisburg-Lancaster-York, Pa.
  - (58) Texarkana, Tex.-Shreveport, La.
  - (59) Mobile, Ala.-Pensacola, Fla.
  - (60) Davenport, Iowa-Rock Island-Moline, Ill.
  - (61) Flint-Bay City-Saginaw, Mich.
  - (62) Green Bay, Wis.
  - (63) Richmond-Petersburg, Va.
  - (64) Springfield-Decatur-Champaign, Illinois.
  - (65) Cedar Rapids-Waterloo, Iowa.
  - (66) Des Moines-Ames, Iowa.
  - (67) Wichita-Hutchinson, Kans.
  - (68) Jacksonville, Fla.
  - (69) Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill.
  - (70) Roanoke-Lynchburg, Va.
  - (71) Knoxville, Tenn.
  - (72) Fresno-Visalia-Hanford-Clovis-Merced-Porterville, California.

- (73) Raleigh-Durham-Goldsboro-Fayetteville, North Carolina.
- (74) Johnstown-Altoona, Pa.
- (75) Portland-Poland Spring, Maine.
- (76) Spokane, Wash.
- (77) Jackson, Miss.
- (78) Chattanooga, Tenn.
- (79) Youngstown, Ohio.
- (80) South Bend-Elkhart, Ind.
- (81) Albuquerque, N. Mex.
- (82) Fort Wayne-Roanoke, Ind.
- (83) Peoria, Ill.
- (84) Greenville-Washington-New Bern, N.C.
- (85) Sioux Falls-Mitchell, S. Dak.
- (86) Evansville, Ind.
- (87) Baton Rouge, La.
- (88) Beaumont-Port Arthur, Tex.
- (89) Duluth, Minn.-Superior, Minn.
- (90) Wheeling, W. Va.-Steubenville, Ohio.
- (91) Lincoln-Hastings-Kearney, Nebr.
- (92) Lansing-Onondaga, Mich.
- (93) Madison, Wis.
- (94) Columbus, Ga.
- (95) Amarillo, Tex.
- (96) Huntsville-Decatur, Ala.
- (97) Rockford-Freeport, Ill.
- (98) Fargo-Valley City, N.D.
- (99) Monroe, La.-El Dorado, Ark.
- (100) Columbia, S.C.

NOTE: Requests for changes to this list shall be made in the form of a petition for rulemaking pursuant to §1.401 of this chapter, except that such petitions shall not be subject to the public notice provisions of §1.403 of this chapter.

[37 FR 3278, Feb. 12, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §76.51, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**§ 76.53 Reference points.**

The following list of reference points shall be used to identify the boundaries of the major and smaller television markets (defined in §76.5). Where a community's reference point is not given, the geographic coordinates of the main post office in the community shall be used.

State and community	Latitude	Longitude
Alabama:		
Anniston .....	33°39'49"	85°49'47"
Birmingham .....	33°31'01"	86°48'36"
Decatur .....	34°36'35"	86°58'45"
Demopolis .....	32°30'56"	87°50'07"