§ 76.41 Franchise application process.

(a) Definition. Competitive franchise applicant. For the purpose of this section, an applicant for a cable franchise in an area currently served by another cable operator or cable operators in accordance with 47 U.S.C. 541(a)(1).

(b) A competitive franchise applicant must include the following information in writing in its franchise application, in addition to any information required by applicable State and local laws:

1. The applicant’s name;
2. The names of the applicant’s officers and directors;
3. The business address of the applicant;
4. The name and contact information of a designated contact for the applicant;
5. A description of the geographic area that the applicant proposes to serve;
6. The PEG channel capacity and capital support proposed by the applicant;
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

§ 76.29 Special temporary authority.

(a) In circumstances requiring the temporary use of community units for operations not authorized by the Commission’s rules, a cable television system may request special temporary authority to operate. The Commission may grant special temporary authority, upon a finding that the public interest would be served thereby, for a period not to exceed ninety (90) days, and may extend such authority, upon a like finding, for one additional period, not to exceed ninety (90) days.

(b) Requests for special temporary authority may be submitted informally, by letter, and shall contain the following:

1. Name and address of the applicant cable system;
2. Community in which the community unit is located;
3. Type of operation to be conducted;
4. Date of commencement of proposed operations;
5. Duration of time for which temporary authority is required;
6. All pertinent facts and considerations relied on to demonstrate the need for special temporary authority and to support a determination that a grant of such authority would serve the public interest;
7. A certificate of service on all interested parties.
8. A request for special temporary authority shall be filed at least ten (10) days prior to the date of commencement of the proposed operations, or
9. shall be accompanied by a statement of reasons for the delay in submitting such request.
10. A grant of special temporary authority may be rescinded by the Commission at any time upon a finding of facts which warrant such action.

§ 76.11 Lockbox enforcement.

Any party aggrieved by the failure or refusal of a cable operator to provide a lockbox as provided for in Title VI of the Communications Act may petition the Commission for relief in accordance with the provisions and procedures set forth in § 76.7 for petitions for special relief.