

HARFORD COUNTY

WHICHEVER DATE IS LATER. NO INCREASE IN RATES CHARGED TO SUBSCRIBERS SHALL BE MADE UNTIL THE CONCLUSION OF AN APPROPRIATE PUBLIC PROCEEDING AFFORDING DUE PROCESS. HOWEVER, THE COMPANY MAY ADD TO THE MONTHLY SERVICE CHANGES SPECIFIED TAXES OR FEES INCLUDING COPYRIGHT FEES IMPOSED BY FEDERAL, STATE OR LOCAL GOVERNMENT OR LEGISLATIVE BODIES.

(F) NO CHARGE SHALL BE MADE FOR A PERIOD OF FIVE (5) YEARS FROM THE COMMENCEMENT OF CABLE TELEVISION SERVICE TO THE COUNTY FOR THE USE OF THE COUNTY CHANNEL(S) OR TO THE SCHOOL SYSTEM FOR USE OF ITS CHANNEL(S). IN ADDITION, THE COMPANY WILL PROVIDE ONE, ONE-COMMERCIAL, PUBLIC CHANNEL WITHOUT CHARGE, EXCEPT AS MAY BE PERMITTED BY FCC, TO COUNTY RESIDENTS. ADDITIONAL CHANNELS, MADE AVAILABLE ON A PUBLIC-ACCESS BASIS, MAY BE LEASED BY THE COMPANY.

[[(G) THE COMPANY SHALL PROVIDE THE COUNTY AND SCHOOL SYSTEM WITH ADDITIONAL SERVICE AT A CHARGE TO BE SET BY THE GRANTING AUTHORITY, BUT NOT TO EXCEED SIXTY-SIX AND TWO THIRDS PER CENT (66 2/3%) OF THE CHARGE TO RESIDENTIAL SUBSCRIBERS OR THE CHARGE FOR SIMILAR SERVICE OFFERED BY THE APPROPRIATE COMMUNICATION COMMON CARRIER OPERATING WITHIN THE COUNTY, WHICHEVER IS LESS.]]

SECTION 6.13. ANNUAL FEES AND COMPENSATION TO THE COUNTY.

(A) THE COMPANY SHALL PAY THE COUNTY AN INITIAL ANNUAL FEE OF THREE PERCENT (3%) OF ITS GROSS SUBSCRIBER REVENUES. SHOULD A LIKE-KIND FEE PAYMENT BE REQUIRED BY ANY STATE AGENCY NOW OR SUBSEQUENTLY CHARGED WITH THE REGULATION OF CABLE TELEVISION, THE FEE PROVIDED FOR HEREIN AND THE FEE PAYABLE TO SAID STATE AGENCY WHEN ADDED TOGETHER, SHALL NOT EXCEED THE MAXIMUM AMOUNT PERMITTED BY APPLICABLE FEDERAL LAW, RULES OR REGULATIONS. IF SUBSEQUENT TO THE GRANTING OF THIS FRANCHISE, THE FCC AUTHORIZES AND/OR APPROVES AN INCREASE IN ANNUAL FEE OVER AND ABOVE THE THREE PERCENT (3%) RATE, AND/OR CHANGES ITS DETERMINATION OF THE TERM "SUBSCRIBER REVENUES" THE COMPANY SHALL PAY THE COUNTY SAID INCREASED FEE, UPON NOTIFICATION OF THE COMPANY BY THE GRANTING AUTHORITY. THE SAID ANNUAL COMPENSATION SHALL BE PAID ON OR BEFORE MARCH 15 AT THE TIME OF FILING THE ANNUAL FINANCIAL REPORT FOR THE PRECEDING CALENDAR YEAR.

(B) NO PAYMENTS OF THE ANNUAL FEE, OR OTHER JUSTIFIABLE CHARGES THAT ARE MADE BY THE COMPANY TO THE COUNTY PURSUANT HERETO, SHALL BE CONSIDERED IN ANY MANNER AS IN THE NATURE OF A TAX, BUT SUCH PAYMENT SHALL BE MADE IN ADDITION TO ANY AND ALL TAXES WHICH ARE NOW OR MAY HEREAFTER BE REQUIRED GENERALLY OF COMMERCIAL ENTERPRISES IN THE COUNTY.