

1 Introduced March 22 1994, by
2 Councilwoman Williams, seconded by
3 Councilman Van Sandt
4

5 Item No. 94-03-1717
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8 **ORDINANCE NO. 2556**
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11 An ordinance establishing customer service, standards, and requirements
12 for Cablevision Industries (CVI) of Louisiana Partnership, to operate and maintain a cable
13 television system in the City of Slidell, Louisiana.
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15 WHEREAS, the City of Slidell has granted CVI a fifteen (15) year franchise
16 to operate a cable television system in Slidell; and

17 WHEREAS, the Cable TV Act of 1992 provided for certain local regulations
18 for the delivery of cable tv services; and

19 WHEREAS, the City of Slidell desires to invoke certain provisions of said
20 Act.

21 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it
22 does hereby initiate customer service, standards, and requirements for Cablevision
23 Industries of Louisiana Partnership for a cable television system as follows:

24 **SECTION I — DEFINITIONS**

25 The following terms and phrases, as used herein, shall be given the
26 meaning set forth below:

27 (a) "City" means the City of Slidell, a municipal corporation under the laws of the
28 State of Louisiana.

29 (b) "Grantee" means Cablevision Industries of Louisiana Partnership d/b/a CVI,
30 a partnership organized and existing under the laws of Louisiana, and it is the grantee
31 of rights under this franchise.

32 (c) "City Council" means the governing body of the City of Slidell, or its designated
33 representative.

34 (d) "Federal Communications Commission" or "FCC" means the present Federal
35 agency of that name as constituted by the Communications Act of 1934, or any successor
36 agency created by the United States Congress.

37 (e) "Person" is any individual, firm, partnership, association, corporation, company
38 or organization of any kind.
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6 SECTION II — SERVICE

- 7 1. Contract for a regular monthly subscriber service shall be not required by CVI
8 under ordinary circumstances. CVI agrees that under ordinary circumstances it
9 shall be the right of the subscriber to start or terminate the cable service by
10 making advance payments to commence service and by reasonable notice to CVI
11 to terminate the service. Any equipment installed by CVI on behalf of the
12 subscriber shall remain the property of CVI, and it shall be subject to reasonable
13 inspection and service by CVI at reasonable hours and removal upon termination
14 of the service.
- 15 2. Service rendered by CVI shall be available to all inhabitants of the City along
16 extended pole routes of CVI. CVI shall have the right to withhold or deny service
17 to any subscriber that fails to meet the obligations according to CVI's rate schedule
18 or to meet reasonable CVI rules and regulations as defined in Section II, Part 4.
- 19 3. CVI shall maintain a business, fully staffed, in the City of Slidell. CVI shall provide
20 for subscriber service in accordance with the following:
- 21 a. Knowledgeable, qualified company representatives will be available to
22 respond to customer, personal and telephone inquiries Monday through
23 Friday during normal business hours of 8:00 a.m. until 4:30 p.m. Based on
24 community needs, CVI will staff telephones for supplemental hours on
25 weekdays and weekends.
- 26 b. Under normal operating conditions, telephone answer time by a customer
27 service representative shall be limited to four (4) rings or fewer. The wait
28 time and the time required to transfer the call, shall not exceed thirty (30)
29 seconds.
- 30 This standard shall be met no less that ninety percent (90%) of the time
31 measured on an annual basis.
- 32 c. Under normal operating conditions, the customer will receive a busy signal
33 less than three percent (3%) of the total time that the cable office is open
34 for business.

6 d. Customer service center and bill payment locations will be open for
7 business Monday through Friday during normal business hours from 8:00
8 a.m. until 4:30 p.m. Additionally, based on City needs, CVI will schedule
9 supplemental hours on weekdays and weekends during which these centers
10 will be open. Normal business hours shall not be less than eight (8) hours
11 per day, and shall include hours between 7:00 a.m. and 7:00 p.m.

12 e. Complaints received on weekends and holidays regarding poor reception
13 and similar problems, but not a loss of service, shall be routed to the on-call
14 technicians. The technician will make every effort to respond to such
15 complaints within twenty-four (24) hours of receipt. If the subscriber is not
16 home, the service technician shall place a notice at the location showing
17 time and date when responding to the service complaint, or shall leave a
18 recorded message on a telephone answering device. If there is no access
19 to cable terminals when the technician responds to the service complaint,
20 this notice shall satisfy the requirements of this section.

21 f. Full credit for loss of service shall be given to any subscriber who properly
22 registers a loss of service complaint and does not have service restored
23 within twenty-four (24) hours of receipt of complaint.

24 4. Under normal operating conditions, each of the following three (3) standards will
25 be met not less than ninety-five percent (95%) of the time measured on an annual
26 basis:

27 a. Standard installations will be performed within seven (7) business days after
28 an order has been placed. "Standard" installations are those within one
29 hundred and fifty feet (150') from the existing distribution system.

30 b. Excluding those situations beyond the control of the cable operator, CVI will
31 respond to service interruptions promptly and in no event later than twenty-
32 four (24) hours. Other service problems will be responded to within thirty-
33 six (36) hours during the normal work week.

7 c. If, at any time an installer or technician is running late, an attempt to contact
8 the customer will be made and the appointment rescheduled as necessary
9 at a time which is convenient for the customer.

10 5. Communications, bills and refunds shall be administered as follows:

11 a. CVI will provide written information in each of the following areas at the time
12 of installation and at any future time upon request:

- 13 • products and services offered
- 14 • prices and service options
- 15 • installation and service policies
- 16 • how to use the cable service

17 b. Bills will be clear, concise and understandable.

18 c. Refund checks will be issued promptly, but no later than thirty (30) days
19 from the customer's next billing cycle following the request, or the return of
20 the cable company's equipment if service is terminated.

21 d. Customers will be notified a minimum of thirty (30) days in advance of any
22 rate or channel change effect the existing service, provided the change is
23 within the control of the cable operator.

24 6. CVI must begin work promptly to correct severe interruptions of cable service.
25 Work to correct other service problems must begin the next business day after CVI
26 receives notification of the service problem.

27 7. Appointments for installations, service calls, or other installation activities must
28 either be at a specific time or within a four (4) hour block during normal business
29 hours. An operator may not cancel an appointment with a customer after the close
30 of business on the business day before the appointment. If the installer is running
31 late and will not be able to keep the scheduled appointment with the customer, CVI
32 or the installer must contact the customer and reschedule the appointment at the
33 customer's convenience.

- 7 8. At the time of installation, and annually thereafter, CVI must provide customers
8 with written information on products, services, prices, and options, installation and
9 service maintenance policies, instructions for using the system and billing and
10 complaint procedures.
- 11 9. Upon written request of the City of Slidell, CVI shall provide an annual report
12 containing the following:
- 13 (a) Number of Subscribers;
 - 14 (1) Beginning of calendar year
 - 15 (2) End of calendar year
 - 16 (b) Number of service complaints filed and completed;
 - 17 (c) Changes to cable service during the previous year;
 - 18 (1) Addition of channels
 - 19 (2) Deletion of channels
 - 20 (3) New services added
 - 21 (4) Services discontinued
 - 22 (5) Rate adjustments
 - 23 (6) Number of new subscribers installed
 - 24 (7) Number of residents not serviceable
 - 25 (8) Complete list of monthly fees and service charges.

26 CVI shall have thirty (30) days from the date of receipt of the written request from
27 the City to deliver the annual report.

28 **SECTION III — STANDARDS AND REQUIREMENTS**

- 29 1. Construction and maintenance of the transmission distribution system including
30 house connection, shall be in accordance with the provisions of the National
31 Electrical Safety Code prepared by the National Bureau of Standards, the National
32 Electrical Code of the National Board of Underwriters, all federal laws, all state
33 laws, all parish laws, and such applicable ordinances and regulations of the city,
34 affecting electrical installations which may be, from time to time in effect, except
35 that any ordinances or regulations which may be adopted by the City after the

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7 effective date shall not apply retroactively to CVI's transmission distribution system,
8 or house connections as they exist on the effective date of such ordinances or
9 regulations. The system shall be adequately and safely grounded according to
10 good cable industry practices. All overhead distribution lines shall be installed a
11 minimum of fifteen feet (15') above the surface of the street, highway, alley, etc.

12 2. Installation and housedrop hardware shall be generally uniform throughout the City
13 except that CVI's shall be free to change its hardware and installation procedures
14 as the area progresses or the state of the art improves.

15 3. In the maintenance and operation of the television transmission and distribution
16 system, and in the course of any new construction or addition to its facilities, CVI
17 shall proceed to cause the least possible interference or inconvenience to the
18 public. Any opening or obstruction in the streets or other public places made by
19 CVI shall be guarded and protected at all times by the placement of adequate
20 barriers, fences, or boardings, the bounds of which, during period of dusk and
21 darkness shall be clearly designated by warning lights, and shall meet all further
22 requirements of the Risk Manager and City Engineer.

23 4. In all areas of the City where the cables, wires and other like facilities of a public
24 utility or public utility district are placed underground, CVI shall construct and install
25 its cable, wires, and other facilities underground. Amplifier boxes and pedestal
26 mounted terminal boxes may be placed above ground if existing technology
27 reasonably requires, but shall be of such size and design and shall be so located
28 as not to be unsightly or unsafe. In any area of the City where there are certain
29 cables, wires and other like facilities of a public utility or public utility district
30 underground and at least one operable cable, wire or like facility of a public utility
31 or public utility district suspended above the ground from poles CVI may construct
32 and install its cables, wires, and other facilities from the same pole, upon
33 application to the City, and the granting of permission by the City to do so under
34 such terms and conditions as the City directs. The City retains the right to require
35 CVI to install underground facilities in such situations.

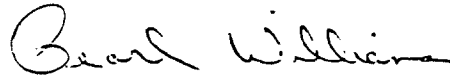
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- 7 5. Whenever it is necessary to shut off or interrupt service for the purpose of making
8 repairs, installations or adjustments, CVI shall do so at such time as will cause the
9 least amount of inconvenience to its customers, and unless such interruption is
10 unforeseen and immediately necessary, it shall give reasonable notice thereof to
11 its customers, by publication of such intent in a newspaper of general circulation
12 within the City, placed on Community Bulletin Board Channel at least forty-eight
13 (48) hours in advance of the event, and/or inclusion of such notice in CVI's
14 monthly bills to its customers. If service is off for more than six (6) hours, CVI will
15 tag the door.
- 16 6. CVI shall maintain its service in accordance with reasonable standards regarding
17 uniformity of transmission, input noise levels, and channel signal voltages to
18 conform to the highest industry standards. For the purpose of implementing the
19 terms of this section, CVI shall periodically provide, without charge, adequate test
20 equipment to perform periodic tests to determine whether such standards are
21 being complied with. Such adequate test equipment shall be made available
22 during the period of this franchise for use by qualified cable television technicians
23 employed by the City. CVI shall cooperate with the City, or its qualified
24 representatives, in conducting such tests. CVI reserves the right to have a
25 qualified representative present when such tests are conducted, and to have a
26 qualified representative on site when CVI's equipment is being used by the City.
- 27 7. The antenna, receiving equipment, and distribution system shall be installed and
28 maintained so as to give a reasonably noise-free picture on each channel received.
- 29 8. The installation and maintenance of equipment shall be such that no objectionable
30 intermodulation distortion will persist.
- 31 9. Installation and maintenance of equipment shall be such that standard NTSC color
32 signals shall be transmitted to any subscriber receiver without objectionable picture
33 degradation.

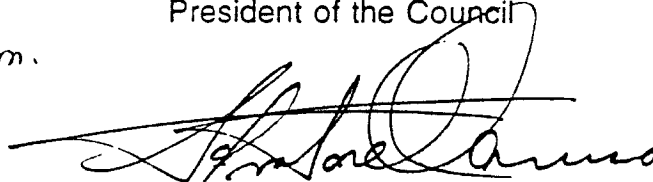
34 BE IT FURTHER ORDAINED that the provisions herein contained may be
35 amended from time to time at the City's discretion.


9 Adopted this 26th day of April, 1994.
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13 **DELIVERED**
14 04/27/94 3:30 p.m.
15 to the Mayor

16
17 **RECEIVED**
18 05/02/94 10:00 a.m.
19 from the Mayor

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21 
22 Pearl Williams
23 Councilwoman, District G
24 President of the Council

25 
26 Salvatore A. Caruso
Mayor

27 
28 Davis Dautreuil
29 Council Administrator/Clerk of the Council