

RESOLUTION NO. _____

A resolution of the Missoula City Council regarding application of TDS Metrocom, LLC for a cable franchise.

Whereas, TDS Metrocom, LLC ("TDS") requested that the City of Missoula, Montana ("City") commence proceedings to consider the award of a cable franchise to TDS, and

Whereas, federal law at 47 U.S.C. § 541(a) provides that a city "may not unreasonably refuse to award an additional competitive franchise," and

Whereas, the City conducted the procedure required to award a competitive cable franchise pursuant to federal law, and

Whereas, the City's Official Application Form required that proposals for a cable franchise include the information consistent with Section 5.80.060A of the Missoula City Code, and

Whereas, the City Council determined to call a Public Hearing to consider the application received from TDS at its regularly scheduled _____, 2021 City Council meeting.

Whereas, all interested parties were provided an opportunity to speak to the City Council and to present information regarding this matter.

Whereas, the City carefully reviewed all information and documentation presented to it regarding TDS's proposal and qualifications to operate a cable system within the City.

Whereas, based on information and documentation made available to the City, the City Council has reached conclusions regarding TDS's legal, technical and financial qualifications.

NOW THEREFORE, the City of Missoula, Montana hereby resolves as follows:

1. The City hereby finds that TDS's application received on July 21, 2021 complies with the requirements of applicable law and Section 5.80.060A of the Missoula City Code.
2. The City finds that TDS possesses the requisite legal, technical and financial qualifications to construct and operate a cable system to provide cable service within the City.
3. The City finds that its actions are appropriate and reasonable in light of the mandates contained in Section 5.80.060A of the Missoula City Code and applicable provisions of federal law including 47 U.S.C. § 541(a).

PASSED AND ADOPTED this _____ day of _____, 2021.

CITY OF MISSOULA, MONTANA

Its: _____

ATTEST:

Its: _____