(c) City--is the City of Kalamazoo, its elected and appointed officers, and/or their authorized designee(s) acting on behalf of the City in a fiduciary capacity;

(d) Cable administrator--is the term for the City's authorized designee on cable television matters;

(e) Cable consumer protection law--this chapter, any other ordinance of the City of Kalamazoo or statute of the State of Michigan pertaining or related to the conditions, billing and provision of cable television services to subscribers, which ordinance or statute serves to protect the interests of parties subscribing (or considering subscribing) to cable television services.

(f) Cable operator--means any person, or group of persons:

(1) who provides cable service over a cable system or directly or through one or more affiliates owns a significant interest in such cable system; or

(2) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system;

(g) Cable service--means:

(1) The one-way transmission to subscribers of:

(A) video programming, or

(B) other programming or electronic services; and

(2) Subscriber interaction, if any, which is required for the selection of such video programming or other programming service.

(h) Cable system--means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming, or other electronic services, and which is provided to multiple subscribers within a community, but such term does not include:

(1) a facility that serves only to retransmit the television signals of one (1) or more television broadcast stations;

(2) a facility that serves only subscribers in one (1) or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way;

(3) a facility of a common carrier which is subject, in whole or in part, to the provisions of title II of the Federal Communications Act of 1934, except to the extent that such facility shall be considered a cable system (other than for purposes of Title 47 of the United States Code, Section 541(c));

(4) a facility, to the extent such facility is used in the transmission of video programming directly to subscribers; or

(5) any facilities of any electric utility used solely for operating its electric utility systems;

(i) Customer service--means the direct business relation between a cable operator and a subscriber, including but not limited to programming, installation, disconnection, and reconnection.

(j) Customer service requirements--include, but are not limited to, requirements related to interruption of service; disconnection; rebates and credits to consumers; deadlines to respond to consumer requests or complaints; the location of a cable operator's consumer service offices; and the provision to customers (or potential consumers) of information on billing or services.

(k) Educational Access Channel--means any channel on which certain schools, as defined herein, may cablecast educational programs on a first come, first served, non-discriminatory basis.

(l) Government Access Channel--means any channel on which the City may cablecast.

(m) Normal Business Day--means those days from Monday through Friday, inclusive, except for federal, state and local holidays.

(n) Other programming service--means information that a cable operator makes available to all subscribers generally, other than what is already defined in this section.

(o) Person-- means an individual, partnership, association, joint stock company, joint venture, trust, corporation, or other entity.

(p) Public Access Channel--means any channel on which any resident of Kalamazoo County may cablecast, without charge, on a first come, first served, non-discriminatory basis, onto a cable system operating within the City of Kalamazoo.

(q) Public, educational, or government (or "PEG") access facilities--means:

(1) channel capacity designated for public, educational, or governmental use; and

(2) facilities and equipment for the use of such channel capacity.

(r) Service tier, or tier means a group of cable services or other services provided by a cable operator and for which a separate rate is charged by the cable operator.

(s) Service window means the same as "appointment window" in subsection (a) above.

(t) Signal means a television channel signal, or radio frequency or light wave signal, capable of carrying intelligence.

(u) Subscriber--means a consumer of cable television services, who is a customer of a cable operator, and who subscribes to and is provided with cable television services.

(v) Video programming--means programming provided by, or generally considered comparable to programming provided by television broadcast stations, the multi-channel/multi-point distribution service, direct

broadcast satellites, optical fiber, and similar or equivalent multi-channel distribution systems.

Section 41-3. Compliance with Chapter, Generally.

No person, individual, party, partnership, corporation, joint venture, consortium, trust, or other entity shall provide or contract to provide cable television services within the City of Kalamazoo except so as to comply with all applicable provisions of this chapter.

Sections 41-4 -- 41-10. Reserved.

ARTICLE II

CONSUMER PROTECTION AND CUSTOMER SERVICE STANDARDS

DIVISION ONE

OFFICE AND TELEPHONE SERVICE

Section 41-11. Service Center and Bill Payment Locations--Hours of Availability.

The Kalamazoo Customer Service Center and bill payment locations will be open for transactions during the following hours:

(a) Monday through Friday (holidays excepted) from 8:30 a.m. through 6:00 p.m.; and

(b) Saturdays from 9:00 a.m. until 12 noon (holidays excepted).

Section 41-12. Customer Service Availability

Knowledgeable, qualified company service representatives will be available to respond to customer telephone inquiries during the following times:

(a) Monday through Friday (holidays excepted) from 8:30 a.m. to 6:00 p.m.; and

(b) Saturdays from 9:00 a.m. to 12 noon (holidays excepted).

Section 41-13. Limitation Regarding Telephone Busy Signals.

Under normal conditions, the subscriber will receive a busy signal less than three percent (3%) of the total time that the Kalamazoo cable office is normally open for business.

Section 41-14. Telephone Response Time.

(a) Generally.

(1) Under normal operating conditions, telephone answer time by a customer service representative, including wait time, and the time required to transfer the call, shall not exceed one (1) minute from the effective date of this ordinance through March 1, 1991, and forty-five (45) seconds after March 1, 1991.

(2) Those systems which utilize automated answering and distributing equipment will limit the number of routine rings to four (4) or fewer. Systems not utilizing automated equipment shall make every effort to answer incoming calls as promptly as the automated systems.

(3) This standard shall be met no less than ninety percent (90%) of the time measured on an annual basis.

(b) Service as of the Effective Date of this Ordinance

Under normal operating conditions, from the effective date of this Ordinance through March 1, 1991, all times during regular business hours, the cable operator shall connect a telephone caller to a live qualified customer service representative of the cable operator within one (1) minute.

(1) Said representative shall be capable of responding to the cable related inquiries and requests of a

consumer, including but not limited to, scheduling appointments, adjusting accounts for credits, payments or debit inquiries, and dispatching technicians to a subscriber's residence or area for a service call.

(2) The cable operator shall not be considered to be in compliance with the one (1) minute response time if the cumulative effect of the response time and any time "on hold" exceeds one (1) minute. As an example, if the delay from the time the telephone rings until the time the cable operator answers the telephone exceeds twenty (20) seconds, and the "hold time" is forty (40) seconds, this would exceed one (1) minute and would be a violation.

(3) The one (1) minute response time standard shall be met no less than ninety percent (90%) of the time measured on an annual basis.

(c) Service after March 1, 1991

Under normal operating conditions, commencing on March 1, 1991, and at all times during regular business hours thereafter, the cable operator shall connect a telephone caller to a live qualified customer service representative within forty-five (45) seconds.

(1) Said representative shall be capable of responding to the cable related inquiries and requests of a consumer, including but not limited to, scheduling appointments, adjusting accounts for credits, payments or debit inquiries, and dispatching technicians to a subscriber's residence or area for a service call.

(2) The cable operator shall not be considered to be in compliance with the forty-five (45) second response time if the cumulative effect of the response time and any time "on hold" exceeds forty-five (45) seconds. As an example, if the delay from the time the telephone rings until the time the cable operator answers the telephone exceeds twenty (20) seconds and "hold time" is twenty-five (25) seconds, this would exceed forty-five (45) seconds.

(3) The forty-five (45) second response time standard shall be met no less than ninety percent (90%) of the time measured on an annual basis.

Section 41-15. Subscriber complaints--Timely Response.

(a) Response to subscriber complaints shall be initiated within one (1) business day of receipt; and

(b) The resolution of subscriber complaints shall be effected by the Operator not later than three (3) business days after receipt of the complaint;

(c) Should a supervisor not be available when requested by a subscriber, a supervisor employed by the operator shall return the subscriber's telephone call at the earliest possible time and in no event later than the end of the next business day.

Sections 41-16 -- 41-20. Reserved.

DIVISION TWO

INSTALLATIONS, OUTAGES, AND SERVICE CALLS

Section 41-21. Generally.

Under normal operating conditions, each of the following standards will be met no less than ninety-five percent (95%) of the time measured on an annual basis.

Section 41-22. Installations.

(a) "Standard" installations are those located less than one hundred and twenty-five (125) feet from the existing distribution system, including feeder cable.

(b) Standard installations will be performed within seven (7) calendar days after an order has been placed.

Section 41-23. Service Problems.

(a) The cable operator will respond to service interruptions promptly and in no event later than twenty-four (24) hours.

(b) Other service problems will be responded to within thirty-six (36) hours during the normal work week.

(c) Outages, less than system-wide. Upon failure of the cable operator to remedy a loss of service attributable to the Cable System within twenty-four (24) hours of receipt of notification of such loss, the cable operator shall rebate one-thirtieth (1/30) of the regular monthly charge to each subscriber so affected, for each twenty-four (24) hours or fraction thereof, following the first twenty-four (24) hours after receipt of notification, until service is restored, unless such restoration is prevented by strike, injunction or other cause beyond control of the cable operator. Such rebate shall be made by the cable operator only following reasonable written notification and substantiation to the cable operator by the subscriber, identifying the loss of service by channel description and date and time.

(d) Outages, system-wide.

(1) The cable operator shall provide an automatic credit to all subscribers when there is an outage of all basic services for a period of twenty-four (24) consecutive hours or more which affects the entire service area, regardless of the cause of the outage. The credit shall equal, at a minimum, the value of receiving one day's basic service for each twenty-four (24) consecutive hour period. "One day" shall be considered to be one-thirtieth (1/30) of the regular monthly charge for each subscriber so affected.

(2) The cable operator shall provide an automatic credit to all subscribers of an affected premium channel when there is an outage of such premium service for a period of twenty-four (24) consecutive hours or more which affects the entire service area, regardless of the cause of the outage. The credit shall equal, at a minimum, the subscriber's cost of receiving one day's cable service for each affected premium channel that for each twenty-four (24) consecutive hour period. "One day" shall be considered to be one-thirtieth (1/30) of the regular monthly value of the premium channel.

Section 41-24. Scheduled Appointments

(a) Appointment windows.

Whenever a consumer requests an appointment for installation, repair, maintenance, or other service, and the parties have agreed that the presence of the consumer or his designee is required, the cable operator shall offer and specify a four-hour time period within which the installation, repair or maintenance appointment must be commenced.

(b) Consumer's choice of appointment windows.

The cable operator shall offer the subscribing consumer a choice of specific times for a scheduled appointment. The consumer's choice of "appointment windows" shall include, at a minimum:

(1) Saturday mornings (8:00 a.m. until 12 noon);

(2) Mornings (8:00 a.m. until 12 noon) during a specific "normal business day" (Monday through Friday inclusive, except holidays);

(3) Afternoons during a specific "normal business day", subject to:

(A) A four (4) hour appointment window chosen by the subscriber, and

(B) That four (4) hour long appointment window will not extend past 6:00 p.m.; and

(4) An elongated "appointment window" which may be selected by the subscriber for "all day" on a specific date which is also a "normal business day".

(c) Cable Operator's Compliance with Appointment Window.

The cable operator is required to adhere to the 4-hour period for commencing installation, repair or maintenance appointments with the subscriber unless there are delays caused by unforeseen or unavoidable occurrences beyond the control of the cable operator.

(d) Operator's Failure to Comply -- Consumer's Options

In the event that the cable operator fails to meet the four (4) hour period for subscriber installation, disconnection, or maintenance appointments, subject to sub-section (f) below, the affected consumer will be entitled to receive credit(s):

(1) The above-referenced credit shall equal the value, at the subscriber's election, of either:

(A) one month's basic service for the failure by the cable operator to meet the scheduled four (4) hour period for commencing the installation, disconnection, repair, maintenance or other service appointment at the subscriber's home, business office or other service location, regardless of whether

(h) Cable Operator's Duty to Inform Subscribers.

The cable operator shall inform subscribers of their right to service connection, its repair or other service, within a four (4) hour period and their remedies for missed appointments by offering the four (4) hour period and the information pertaining to remedies at the time the subscriber calls for service or repair, or by notifying their subscriber by mail three (3) times a year of the service and their remedies. Such mailed notice may be performed by inserting the appropriate information in the subscribers' monthly bills.

Section 41-25 -- 41-30. Reserved.

DIVISION THREE

COMMUNICATIONS, BILLS AND REFUNDS

Section 41-31. Communications to Consumers

The cable operator will provide written information to subscribers in each of the following areas at the time of installation, at any future time upon request, and at least once per year thereafter:

(a) Products and services offered;

(b) prices and service options;

(c) installation and service policies, (including details of Section 41-24);

(d) availability of parental lock-out devices;

(e) refund policies;

(f) description of complaint procedures;

(g) subscriber privacy rights notice;

(h) how to use the cable service, including how subscriber and subscribers can connect their video cassette recorders so as to more fully utilize the cable services subscribed to; and

(i) information concerning the responsibility of the City of Kalamazoo, including the mailing address and phone number of the City's designee for cable matters.

(1) The text of the printed notice shall be as follows, unless otherwise authorized by the Commission:

PLEASE READ THIS

The City of Kalamazoo through the Office of the City Cable Administrator, is responsible for monitoring the customer service, system performance, and franchise compliance of your cable company. Toward this end, the City and your cable company work continuously to monitor and improve cable TV customer service in your community.

However, at times you may encounter problems with your cable service that you have been unable to resolve with your cable company. The City Cable Administrator is available to help you with unresolved problems. If this is the case, please call the City Cable Administrator's office at _____ weekdays (an answering machine takes messages after business hours), or write to the City Cable Administrator, 241 West South Street, Kalamazoo, Michigan 49007.

However, please contact your cable company FIRST, before calling the City Cable Administrator office about your problem.

PLEASE SAVE FOR FUTURE REFERENCE

(2) Such notice, in large boldface type, shall also be posted in a conspicuous place in all of the cable operator's offices within the City of Kalamazoo where customer service transactions are conducted.

Section 41-32. Bills and Billing Disputes

1) Bills

(a) Subscriber's bills from the cable operator will be clear, concise and understandable.

(b) The cable operator shall annually consult with the City's designee for cable matters regarding accuracy, conciseness and sufficiency of information contained within the standard subscriber billing notice.

(c) The City shall also review the standard subscriber billing notice for clarity and fairness of representation of information to subscribers which shall also be the subject of the annual consultations noted in subsection (b) above.

(d) The cable operator shall identify any service bureau or other third party which prepares billing notices.

2) Billing Disputes. If a subscriber has notified the operator in writing that a bill is in dispute:

(a) operator shall not terminate service pending resolution of the dispute;

(b) Nor shall the account be turned over or reported to a collection agency, provided that the remaining balance of the bill is current; and

(c) A bill shall not be considered to be in dispute solely by reason of nonpayment by subscriber.

Section 41-33. Refunds.

(a) Refund checks will be issued promptly, but no later than the earlier of forty-five (45) days, or the subscriber's next billing cycle following the resolution of the request; and

(b) If service is terminated, a refund check will be sent no later than forty-five (45) days after the subscriber returns all of the equipment supplied by the cable operator.

Section 41-34. Rate or Channel Changes

Subscribers will be notified a minimum of thirty (30) days in advance of any rate or channel change, provided the change is within the control of the cable operator.

Sections 41-35--41-40. Reserved.

ARTICLE III

RESERVED

Sections 41-41 -- 41-60. Reserved.

ARTICLE IV

RESERVED

Sections 41-61 -- 41-80. Reserved.

ARTICLE V

PENALTIES

Section 41-81. Violations.

(a) No person, individual, party, partnership, corporation, joint venture, joint stock company, consortium, trust, individual, or other entity functioning as an operator of a cable system ("cable operator") shall violate any of the mandatory provisions of this ordinance;

(b) Violation of a mandatory provision of this Ordinance shall be a civil infraction punishable by a judgment of

up to, but not exceeding One Hundred Dollars ($100.00); and

(c) The judgment for each such event involving any one consumer on any one day in regards to any particular section or sub-section of this chapter shall not exceed One Hundred ($100.00) Dollars;

Section 41-82. Evaluation of Violations.

(a) The violation of this ordinance by a cable operator, an operator's agents, employees and/or independent contractors employed or retained by the cable operator shall be grounds for evaluating:

(1) a cable operator's compliance with an existing Consent Agreement and with applicable law; and

(2) the quality of a cable operator's service and whether it has been reasonable in light of community needs; and

(3) the technical ability of a cable operator to provide the services, facilities, and equipment as set forth in an operator's proposal for future or renewed cable services; and

(4) the reasonableness of an operator's proposal to meet the future cable-related community needs and interests of the residents and cable television consumers of Kalamazoo.

(b) These evaluations are proper and germane for the City to consider formally when reviewing proposal(s) for renewal of any Consent Agreement to provide cable services within the City of Kalamazoo.

Section 2. Repealer. All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent

jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 10, 1990. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Edward J. Annen, Mayor

Ruth G. Tydeman

Ruth G. Tydeman, City Clerk

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

Jurisdiction/State City of St. Louis, Missouri

Operator(s) TCI

FCC Community Unit Identifier # MO 0545

Name/Title Susan Littlefield

Cable Regulatory Administrator

Phone 314-533-5802

Fax 314-534-7059

1. Have you adopted the FCC customer service standards and notified operator of same? (YES) NO

2. Date you adopted the rules? MAY 15, 1993

3. Date they become effective in your franchise? August 15, 1993

4. Did you have customer service standards in place prior to the FCC's rules? (YES) NO

5. Date implemented? January 1, 1989

6. Implemented during franchise? YES NO

7. Did they require a franchise modification? (YES) NO

8. Implemented during transfer? (YES) NO

9. Implemented at renewal? YES NO

10. Were these standards different or more stringent than the FCC's rules? (YES) NO

11. Specific problems your standards addressed?

Excessive missed appointments for service calls and installations
Inappropriate "late fees" because of slow payment processing by TCI
Busy signals 75% of time (7 minute "holds")
Inconvenient office and telephone hours

12. Did you pass different or more stringent rules after the FCC rules came out? YES (NO)

13. What date?

14. Franchise modification? YES NO

If possible, please enclose a copy of your standards clearly labelled with:
Jurisdiction Name / Operator Name / Date

IN YOUR OWN OPINION.....

15. Are these new standards different? (YES) NO
How?
Late fee rules - cannot charge fee until sub is 45 days late from original due date.
Free install or month of service if 2 or 3 appointments are missed

16. Are these standards more stringent? (YES) NO
How?
Yes - for office hours
- late fee
- telephone (statistics submitted every 6 months to verify complia

17. Why were they necessary in your community? 1989
Over 1400 complaints per year for the same group of problems - busy phones, late fees, poor service, missed appointments.
FCC rules a good start for places that had none - but they don't go far enough to ensure real compliance.

18. What sort of evaluation methods are you using to determine compliance? (describe)
Automated telephone reports
Voluntary subscriber complaints
Assorted payment techniques by city staff (to verify speed of payment processing.
Written reports or acknowledgement from operator

19. Has the operator cooperated in providing necessary or required data? YES NO
sometimes - not always

20. Is your operator's compliance with FCC or your rules generally: GOOD (OK) BAD
not great on late fees

21. Has your operator attempted to pass through costs of complying with the FCC rules? YES NO
not yet

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules? YES (NO)
our standards in '89 caused major drop

23. Did you see a decrease in complaints after you implemented your own rules? (YES) NO
Absolutely!

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied? YES NO
Not that really address the problems peculiar to cable tv service.

City of St. Louis

Communications Division

4971 Oakland Avenue
St. Louis, Missouri 63110

TEL (314) 533-5802 , 533-5926
FAX (314) 534-7059

Hon. Vincent C. Schoemehl, Jr.
Mayor

Board of Public Service

Norbert A. Groppe, P.E.
President, Board of Public Service

Larry D. Stone
Communications Manager

14 May 1993

CUI # MO 0545

Mr. Gregory Schacher, General Manager
TCI-St. Louis
4940 Delmar
St. Louis, Missouri 63108

By Certified Mail
LETTER OF NOTIFICATION
APPLICABLE CUSTOMER SERVICE STANDARDS

Dear Mr. Schacher,

This letter serves as formal notification from the Franchise Agency that it intends to enforce certain of the newly mandated self-executing customer service standards delineated in the Federal Communications Commission's (FCC's) Report and Order in MM Docket 92-263 released on April 7, 1993. These standards are in addition to, in place of, or clarify further, certain requirements previously listed in Ordinances 59197 and 61093 of the City of St. Louis. These new FCC standards will go into effect 90 days after the posting of this Notice by certified mail, on or about August 15, 1993.

In order to clarify the cable franchisee's obligations under the existing local franchise and pertinent federal minimum standards, the document herein noted as "Attachment A" shall consitute the current list of enforceable customer service standards for this franchise, with a typeface notation indicating the current existing, or future additional, obligation.

The Agency notes for the record that it will not (and is not required to) adopt any FCC customer service standards less stringent than those imposed by the City under the existing franchise. Some adopted FCC standards, although similar to the City's existing standards, are worded slightly differently; in such cases, both standards are listed for clarity.

Those similar FCC standards that require a different type of reporting mechanism or calculation to ascertain compliance (e.g. telephone reports), which are not currently deemed necessary in our local situation under our differently worded or stricter local requirements, will not be demanded at this time as existing reports are adequate to make such determination. The City reserves the right, however, to fully implement these federal reporting requirements at a future date, upon adequate notice.

The Agency also serves notice that it reserves its rights to: impose additional local standards at a later date; make full use of Section 9.4(f) of Franchise Ordinance 59197 in resolving any individual or collective customer service problems, including the imposition of an order for refunds, credits, or corrective action in response to customer complaints or inadequate franchisee performance; modify the franchise to the full extent allowed under applicable federal laws and regulations; exercise all local rights clarified in the Report and Order and Section 76.309 of the Commission's Rules, entitled "Customer Service Obligations"; expect prompt submission of any requested documentation demonstrating Franchisee compliance with the standards.

The Franchise Agency serves notice to TCI-St. Louis that in those cases where the provisions of Section 6 (Customer Service) of Ordinance 61093 are less stringent than new federal standards, the latter will prevail for the benefit of subscribers. Certain practices and procedures outlined in Ord. 61093, which the Franchisee occasionally argued were purely "voluntary" in nature, but are now required under the Report and Order, will be fully enforced.

Should you have any specific questions about the applicability or interpretation of the Standards, please do not hesitate to contact Susan Littlefield, Cable Regulatory Administrator, right away, as I believe that early

clarifications will prevent later misunderstandings.

Sincerely,

Larry D. Stone
Communications Manager / Franchise Agency

cc: Hon. Thomas Villa
Hon. Robert Ruggeri
Dan DeLaney, TCI Missouri

Attachment A

CITY OF ST. LOUIS
CABLE CUSTOMER SERVICE STANDARDS

ADOPTED MAY 15, 1993

This document represents a listing of the customer service standards applicable to cable television franchises within the City of St. Louis, whether new federal standards adopted in FCC Docket MM9 2-263 released April 7, 1993 and known in the Commission's Rules as Section 76.309 effective July 1, 1993 (or upon 90 days notice to the Operator(s), whichever is later) or existing current requirments mandated by local franchise ordinances 59197, 61093, and franchise adjustments under the Section 9.4(f) decision of May 1990.

76.309 2(c)4 APPLICABLE DEFINITIONS

Normal Business Hours The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week and/or some weekend hours. (FCC 76.309)

Normal Operating Conditions The term "normal operating conditions" means those service conditions which are within the control of the cable operator. Those conditions which are ordinarily within the control of the cable operator include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods,and maintenance or upgrade of the cable system. (FCC 76.309)

Service Interruptions - The term "service interruption" means the loss of picture or sound on one or more cable channels. (FCC 76.309)

NOTE: THE AGENCY SPECIFICALLY REFERS TO THE FULL REPORT AND ORDER AND TO THE LOCAL FRANCHISE DOCUMENTS IF ANY FURTHER CLARIFICATIONS OF THESE DEFINITIONS OR INTENT OF THE STANDARDS ARE NECESSARY.

76.309 2(c)1. CABLE SYSTEM OFFICE HOURS AND TELEPHONE AVAILABILITY-

(i) The cable operator will maintain a local, toll-free or collect call telephone access line which will be available to its subscribers 24 hours a day, seven days a week. *(FCC)*

Throughout the term of its Franchise, each Grantee shall maintain within the City of St. Louis a conveniently located business office and service center to which subscribers may telephone without incurring added message units or toll charges.
This office(s) shall be open during all usual business hours and be so operated that complaints and requests for repairs or adjustments may be received by telephone at any time when any television signals are being broadcast. [Ord 59197 Nine.4.(b)]

(A) Trained company representatives will be available to respond to customer telephone inquiries during normal business hours. *(FCC)*

The Company will provide at least 12 CSRs to take service calls Monday through Friday from 8:30 am to 5:00 pm. and at least 10 such CSRs will be on duty at all times.
A minimum of two CSRs will be available by telephone from 5pm to 8pm weekdays and 8:00am to 5:00 pm on Saturdays. *[Ord. 61093 Sec 6. Service]*

~~(B) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine.~~

THE CITY DOES NOT ADOPT THIS STANDARD. RATHER, THE CITY CONTINUES TO REQUIRE THE EXISTING LOCAL STANDARD:

After such hours, the Company's answering service will respond to service related calls and relay those messages to the company on the next business day. *[Ord 61093 Sec. 6. "Service"]*

Inquiries received after normal business hours must be responded to by a trained company representative on the next business day. *(FCC)*

(v) Customer service center and bill payment locations will be open at least during "normal business hours" (as defined above) and will be conveniently located. *(FCC)*
ADOPTED AND CLARIFIED AS FOLLOWS BY LOCAL REQUIREMENT:

Walk-in office hours are 8:00am to 7:00pm weekdays (9:00 am Thursdays) and 8:00am to 5:00pm Saturday. *[Ord 61093 Sec.6 modified by May 1990 9.4(f) decision]*

The Company will continue to operate an adequately staffed walk in and telephone office in (SLCC) Franchise Area II. *(Ord 61093 Section 6)*

76.309 2(c)1. CABLE SYSTEM OFFICE HOURS AND TELEPHONE AVAILABILITY- continued

(ii) Under normal operating conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety percent (90%) of the time under normal operating conditions, measured on a quarterly basis. *(FCC)*

NOTE: THE CITY ADOPTS THE SELF-EXECUTING FCC STANDARDS OF NO MORE THAN 30 SECOND HOLD TIME 90% OF THE TIME UNDER NORMAL OPERATING CONDITIONS; BUT DUE TO THE REPORTING FORMAT CURRENTLY IN USE, WILL CONTINUE TO ACCEPT THAT REPORT AS EVIDENCE OF COMPLIANCE, DEEMING THAT A 1.5 MINUTE AVERAGE NEARLY APPROXIMATES 30 SECOND MAXIMUMS FOR EACH ANSWER AND TRANSFER 90% OF THE TIME.

Hold time - no more than 1.5 minutes average monthly (of all calls)
Abandonment Rate - less than 12% average (of all calls) *[Ordinance 61093 Sec. 6] [modified by 9.4(f) decision of May 1990]*

~~(iii) The operator will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards above unless an historical record of complaints indicates a clear failure to comply.~~

THE CITY DOES NOT ADOPT THIS FCC STANDARD, AND WILL CONTIUNE TO ENFORCE ITS MORE STRINGENT LOCAL STANDARD:

The Company will provide the City with a copy of the phone results every month, including monthly data: a) Average on-hold time; (b) Abandonment percentage; (c) Total calls per month; (d) Upon request by the City, other information reasonable available to the Company by the Automatic Call Distributor monitoring system presently being used.

The Company will provide the Agency (immediately after receipt by the Comapny) with all Southwestern Bell Telephone phone studies, reflecting but not limited to "busy signals" at least once for each semi-annual period. In the event that the Company modifie(s) its internal phone system to monitor "busy signal data" the Company will provide such information to the Agency on a monthly basis. [Ordinance 61093 Sec.6 Telephones]

(iv) Under normal operating conditions, the customer will receive a busy signal less than three percent (3%) of the time. *(FCC)*

THE CITY ACKNOWLEDGES AND ADOPTS THE FCC STANDARD; HOWEVER, SINCE WE BELIEVE THE EXISTING CITY STANDARD IS EQUALLY STRINGENT, AND A REPORTING MECHANISM EXISTS, WE INTEND TO MEASURE EQUIVALENT COMPLIANCE BY THE EXISTING STANDARD UNTIL FURTHER NOTICE.

Busy signals - less than 20% of all calls attempted;
and less than 15% monthly average of "all trunks busy" as measured by the ROLM system.
[Ord 61093 modified by 9.4(f) decision May 1990]

76.309 2(c)(2) INSTALLATIONS, OUTAGES AND SERVICE CALLS-

Under normal operating conditions, each of the following four standards will be met no less than ninety five percent (95%) of the time measured on a quarterly basis: *(FCC)*

(i) Standard installations will be performed within seven (7) business days after an order has been placed. "Standard" installations are those that are located up to 125 feet from the existing distribution system. *(FCC)*

THE CITY ADOPTS THIS STANDARD AND CONTINUES THE COMPANION REQUIREMENT BELOW:

Grantee shall not receive any deposit, advance payment or penalty from any subscriber or potential subscriber until Grantee's system is operable and service can be provided to the Subscriber or potential Subscriber. [Ord 59197 Sec. 12.8]

(ii) Excluding conditions beyond the control of the operator, the cable operator will begin working on "service interruptions" promptly and in no event later than 24 hours after the interruption becomes known. The cable operator must begin actions to correct other service problems the next business day after notification of the service problem. *(FCC)*

THE CITY ADOPTS THIS STANDARD, IN ADDITION TO THE EXISTING LOCAL REQUIREMENTS BELOW:

Dispatch personnel to investigate all service complaints and equipment malfunctions within 24 hours and strive to resolve such complaints as promptly as possible. [Ord 591979.4.(c)]

76.309 2(c)(2) INSTALLATIONS, OUTAGES AND SERVICE CALLS- continued

Service technicians will be available to respond to service calls 8am to 7 pm Monday to Friday and 8 am to 5 pm on Saturday. Service technicians will respond to Outages on a twenty-four (24) hour, seven (7) day a week basis.

After such (normal business) hours, if five (5) or more telephone calls received within three hours indicate an "unviewable picture or no sound" in the same geographic area, which signal quality problem is reasonably identifiable as having a common source ("Outage"), the service tehnician "on call" will be dispatched immediately. [Ord 61093 Sec.6 "Service"]

(NOTE: The Agency makes allowance for weather conditions, and the difficulty of technicians

working outside after 5 pm in the dark during the winter.)
(NOTE: "Notification" by telephone can be to either the trained representative or the company's after hours answering service, or can be made by the Agency on behalf of the subscriber.)

(iii) The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four-hour time block during normal business hours. (The operator may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer.) *(FCC)*

(iv) An operator may not cancel an appointment with a customer after the close of business on the business day prior to the scheduled appointment. *(FCC)*

(v) If a cable operator representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time which is convenient for the customer. *(FCC)*

THE CITY ADOPTS THESE COMMISSION STANDARDS IN LIEU OF THOSE INSTALLATION APPOINTMENT WINDOWS PREVIOUSLY DESCRIBED IN ORD. 61093 SECTION 6. CUSTOMER SERVICE. AND NOTES THE FOLLOWING ADDITONAL REQUIREMENT:

If the scheduled installation is not completed in the field as scheduled, the subscriber will be telephoned the same day. If noone is at home, a call will be placed the follwing day to the best known daytime telephone number, including the subscriber's work number, if know, to reschedule the appointment.

A record of service call work orders will be kept.

Customers who have experienced two "no show" missed installation appointments will receive their installation free, or a free month of (non-premium) service if the installation was to have been free under a promotion. *[Ord 61093 Sec 6. Service]*

NOTE: It is the City's intention that the operator not be unduly penalized under this standard; therefore, the following procedure will continue to be allowed (if subscribers are told about the procedure when they call for the appointment) until further notice:

There will be a telephone call made to each service appointment within the specified choice period (i.e. four hour window)...to verify that a problem still exists and the subscriber is at home. If noone is home to answer the call, the appointment can be considered to be cancelled by the subscriber. *[Ord 61093 Section 6 Service)*

NOTE: For the Agency to continue to allow the practice, such call must include at least 6 rings before the CSR hangs up, and a message with return phone number for Dispatch must be left if an answering machine is available.

76.309 2(c)(3) COMMUNICATIONS BETWEEN CABLE OPERATORS AND CABLE SUBSCRIBERS-

(i) Notifications to subscribers-

(A) The cable operator shall provide written information on each of the following areas at the time of installation of service, at least annually to all subscribers, and at any time upon request:

(1) Products and services offered;

(2) Prices and options for programming services and conditions of subscription to programming and other services;

(3) Installation and service maintenance policies;

(4) Instructions on how to use the cable service;

(5) Channel positions of programming carried on the system;

and,

(6) Billing and complaint procedures, including the address and telephone number of the local franchise authority's cable office. *(FCC)*

THE CITY ADOPTS THESE STANDARDS IN ADDITION TO THE EXISTING DIFFERENT NOTIFICATION STANDARDS AND REQUIRED PRACTICES NOTED BELOW:

Upon installation, the subscriber will be provided an informational packet containing pertinent information about cable television, billing, office hours and other service matters. The subscriber will also receive the complaint telephone number of the Agency.

Telephone and walk-in hours will be posted on one bill in every six (6) month period, with an explanation that phone calls for service and repair are avaiable twenty-four (24) hours a day. These hours will also be posted on the System Bulletin Board using an alpha-numeric format.

Telephone call procedures described herein will be clearly stated to customers when an appointment is made for installation or a trouble call, and by CSRs handling follow-up inquiries. To the extent possible, a summary of such procedures, as well as other office procedures will be carried on the System Bulletin Board Channel. This Channel's content will be promoted through a billing message at least twice a year.

(B) Customers will be notified of any changes in rates, programming services or channel positions as soon as possible through announcements on the cable system and in writing. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the cable operator. In additions, the cable operator shall notify subscribers thirty (30) days in advance of any significant changes in the other information required by the preceding paragraph. *(FCC)*

ADOPTED BY CITY. DOES NOT ALTER PROVISIONS OF ORDINANCE TO WIT:

Grantee will notify the Franchise Entity thirty days before any change in their signal carriage, or if that is demonstrably impossible, as soon as possible thereafter. [Ord 59197 Sec.11 Final]

NOTE: Required Notifications to the Franchise Entity regarding changes in rates are not discussed in this Customer Service document.

(ii) Billing-

(A) Bills will be clear, concise and understandable. Bills must be fully itemized, with itemizations including, but not limited to, basic and premium service charges and equipment charges. Bills will also

clearly delineate all activity during the billing period, including optional charges, rebates and credits.

(B) In case of a billing dispute, the cable operator must respond to a written complaint from a subscriber within thirty (30) days. *(FCC)*

THESE FCC STANDARDS ARE ADOPTED.

(iii) Refunds - Refund checks will be issued promptly, but no later than either -

(A) The customer's next billing cycle following resolution of the request, or thirty (30) days, whichever is earlier, or
(B) The return of equipment supplied by the cable operator if service is terminated. *(FCC)*

76.309 2(c)(3) COMMUNICATIONS BETWEEN CABLE OPERATORS AND CABLE SUBSCRIBERS- continued

THE CITY ADOPTS THE FCC STANDARD WITH THE FOLOWING EXISTING LOCAL REQUIREMENTS:

A "stop bill date" is generated by the CSR handling the account on the date the customer requests disconect(tion)s by phone or mail.

The Franchisee acknowledges its responsibility to retrieve equipment on a voluntary disconnect.

The refund process takes a maximum of 35 days from disconnection (ordered or actual) to customer receipt of refund.

NOTE: Since the use of the Commission's word "issued" is somewhat ambiguous, and could mean "mailed", the City therefore keeps its existing local standard in place as well.

(iv) Credits- Credits for service will be issued no later than the customer's next billing cycle following the determination that a credit is warranted. *(FCC)*

THE CITY NOTES THAT THIS ADOPTED STANDARD IS IDENTICAL TO AND FURTHER CLARIFIED BY THE FOLLOWING LOCAL STANDARD OUTLINED BELOW:

All adjustments will be written, approved and posted by each (billing) cycle's respective cut-off date, which is (approximately) the 20th on Cycle A and the 8th on Cycle B. This enables the customer to see the credit on the next billing statement.

Generally, adjustments will be given based on the nature of the problem and the monthly service rate. Adjustment requests for problems such as "unviewable picture or no sound" will be given full credit for the applicable adjustment period. Trouble calls resolved due to intermittent problems, snow, ghosting, etc, will receive half-credit using the same calculations for the applicable adjustment period. Generally, adjustment periods will be calculated from the time the subscriber has notified the Company, unless telephone studies conclusively demonstrate that telephone lines were reasonably unavailable at the time the subscriber tried to call initially.
[Ord 61093 Sec. 6. Customer Service Billing Practices]

Additional Existing Local Standards

LATE FEES

Late fees will be waived on a partial payment of a disputed bill until a final decision is made, if the customer notifies the Company in writing, or is directed by a CSR to make a "partial payment" because of a billing error.
Customers are not penalized for any delays in (payment) processing caused by the Company or its contractors. *[Ord 61093 Sec 6. "Billings"]*

NOTE: Although a late fee may be assessed for payments received after the "due date", the Franchisee cannot determine whether the payment was received by the due date until after the cut-off date for payments to be received and credited on each billing cycle. The Agency will continue to monitor compliance as it has since the inception of local standards in 1989.

DISCONECTIONS FOR NON-PAYMENT

An account with a delinquent balance for a period of 45 days from the original due date will (can) be disconnected. When the account becomes thirty days delinquent from the due date, the customer will be informed of the delinquent status by a message on the next statement. Five business days after receipt of this statement, Franchisee attempts to contact the customer by computer phone message. Bill insert notices are used as an extra reminder. All if this occurs before service is disconnected.
For purposes of non-pay disconnects, disputed amounts are not considered delinquent if the subscriber notifies the Company in writing of the dispute, or is directed by a CSR to make a partial payment because of a billing error.

NOTE: The Franchise Agency may notify the Company in writing on behalf of the subscriber through the established City complaint form process.