

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF
THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS,
NEW JERSEY, OPPOSING A3766/S2664
“MARKET COMPETITION AND CONSUMER CHOICE ACT”**

Whereas, this act would fundamentally alter the regulation of telephone and cable television service in New Jersey; and

Whereas, A3766/S2664 changes are so sweeping it deserves deliberate review and analysis, and must not be fast-tracked; and

Whereas, among other things, A3766/S2664 limits the obligation of a cable company to provide cable and internet connections to municipal buildings. Currently all municipal buildings are eligible for this benefit but the bill would limit the obligation to just one municipal building; and

Whereas, A3766/S2664 would eliminate the requirement that cable companies provide basic service and internet to municipal buildings and schools at no charge; and

Whereas, A3766/S2664 does not require the cable companies to provide a return feed to allow cable-casting of live municipal events and meetings; and

Whereas, A3766/S2664 would reduce the franchise fee payable by certain cable companies that have converted from a traditional franchise to a system-wide franchise; and

Whereas, A3766/S2664 does not require cable companies to meet or surpass any existing line extension policy or to meet any applicable consumer protection requirements, all of which are required by the current law; and

Whereas, The proposed verification process for determining whether a company is operating in a “competitive franchise area” is inadequate; and

Whereas, the proposed process for renewal of a system-wide franchise must be corrected to require that the renewal be under the same terms and conditions as the original franchise; and

Whereas, A3766/S2664 eliminates the right of a municipality operating under a municipal-consent based franchise to petition the BPU for a higher franchise fee;

Now, Therefore, Be It Resolved, that the Borough of Mount Arlington calls on the legislature to amend A3766/S2664 to ensure that all the commitments of NJSA 48:5A-28 be provided (a) upon application for a system-wide franchise, (b) upon renewal of a system-wide franchise and (c) upon conversion of a municipal-consent based franchise to a system-wide franchise; and

Be It Further Resolved, that the Borough of Mount Arlington strongly urges the legislature to oppose A3766/S2664 until such amendments are made and there has been an opportunity for all stakeholders to fully analyze the impact of these proposals and; determine the fiscal impact of the bill on municipalities throughout the state; and

Be It Further Resolved, that copies of this resolution be forwarded to Governor Christie, our State senator, our representatives in the General Assembly and the New Jersey League of Municipalities.

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on March 15, 2011.



Linda DeSantis, RMC
Borough Clerk