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RESOLUTION NO. 7-26

Cable Franchise Granted to Mediacom Delaware LLC (“Mediacom”)

This Cable Franchise Agreement (hereinafter referred to as the “Agreement”) is executed as of the 1st day of January 2027 (hereinafter referred to as the “Effective Date”) by and between the Town of South Bethany, a municipality located in Sussex County, Delaware (hereinafter referred to as the “Town”) and Mediacom Delaware LLC (hereinafter referred to as “Mediacom”).

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996 (hereinafter collectively referred to as the “Cable Act”), the regulations of the Federal Communications Commission (hereinafter referred to as the “FCC”) and Delaware law, the Town is authorized to grant and renew franchises to construct, operate and maintain a Cable System utilizing public rights-of-way and properties within the Town’s jurisdiction; and

WHEREAS, Mediacom currently holds a cable franchise from the Town by virtue of a cable franchise agreement originally granting a cable franchise to Mediacom or to a predecessor to Mediacom; and

WHEREAS, Mediacom has requested that the Town renew Mediacom’s franchise to maintain, construct, operate, and upgrade its Cable System over, under and along the aforesaid rights-of-way for use by the Town’s residents; and

WHEREAS, the aforesaid rights-of-way used by Mediacom are public properties acquired and maintained by the Town held in trust on behalf of citizens of the Town and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Town desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, encourage future technical improvements to maintain a technologically-advanced Cable System, establish certain reporting requirements, obtain certain complimentary services, preserve the right to obtain the use of educational and governmental channels, receive franchise fees for Mediacom’s use of the Town’s rights-of-way as provided by federal law, and provide for the current and future cable-related needs of its residents; and

WHEREAS, the Town held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator’s past performance and identifying the Town’s future cable-related community needs; and

WHEREAS, the Town has determined that Mediacom has the financial, legal and technical ability to provide Cable Services to Subscribers located in the Town; and

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WHEREAS, the Town, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Mediacom's franchise according to the terms and conditions contained herein;

NOW THEREFORE, in consideration of the mutual promises contained herein and intending to be legally bound hereby, the Town and Mediacom agree as follows:

ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF SOUTH BETHANY ON THE 9th DAY OF OCTOBER 2026.

Edith Dondero, Mayor

Robert Shields, Council Secretary

Members of Town Council:

Attest:

Matt Amerling, Town Clerk

Christine Keefe, Mayor Pro Tem

Cynthia Van Horn, Treasurer

Steven Gallagher

SEAL:

Mark Giler

Sarah Long

Sponsored by Mayor Dondero
mta:Resolution No. 7-26