

SANTA FE COUNTY
RESOLUTION NO. 2014-1

A RESOLUTION GRANTING SATVIEW BROADBAND LTD. A CERTIFICATE AND ACCEPTANCE OF A CABLE FRANCHISE TO OPERATE A CABLE SYSTEM WITHIN THE NORTHERN PART OF SANTA FE COUNTY AND APPROVING THE TRANSFER OF A CABLE TELEVISION FRANCHISE FROM BAJA BROADBAND TO SATVIEW BROADBAND LTD.

WHEREAS, the Board of County Commissioners of Santa Fe County ("BCC") has jurisdiction over Cable Systems pursuant to Title 47, Chapter 5, Subchapter V-A, Part III of the U.S. Code, NMSA 1978, Sections 62-1-3 and 4-37-1 and Santa Fe County Ordinance No. 2000-6 (superseding Ordinance No. 1993-8 and 1982-5);

WHEREAS, Title 47, Chapter 5, Subchapter V-A, Part III of the U.S. Code, and Santa Fe County Ordinance No. 2000-6 allow the BCC to award a cable franchise and require payment of a franchise fee;

WHEREAS, pursuant to Ordinance No. 2000-6 and in order to provide cable television service within the County of Santa Fe, the BCC must issue a Certificate and Acceptance of Franchise to a requesting cable company after a public hearing, provided that all requirements of said Ordinance are met and the company agrees to abide by all reasonable terms and conditions that are imposed by the BCC;

WHEREAS, Satview Broadband Ltd. (hereinafter "Satview") desires to obtain a Franchise to operate a television cable system serving the Northern part of Santa Fe County, as designated more specifically on the map attached hereto as Exhibit "A";

WHEREAS, Baja Broadband ("Baja") previously owned and operated the cable television system serving the northern portion of Santa Fe County, New Mexico, which includes Espanola, La Pueblo, Chimayo and the Arroyo Seco;

WHEREAS, Pursuant to Ordinance No. 1982-5 and the County Land Development Code, the BCC granted a permit to operate and maintain a cable television system to Southwest Cable Corporation, Inc. (DP- 84-1501);

WHEREAS, the permit to Southwest Cable was duly transferred by Southwest Cable Corporation, Inc. to Espanola Cablevision, Inc. on or about February 28, 1986, then transferred by the BCC to Mark Twain Cablevision, Inc on or about March, 14, 1988 in Resolution 1988-30 and then the BCC approved a transfer and granted a Certificate and Acceptance of Franchise to U. S. Cable on or about March 16, 1999 as set forth in Resolution 1999-16;

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WHEREAS, by Resolution No. 2012-21 the BCC approved the transfer of the franchise from US Cable to Baja;

WHEREAS, Baja has transferred its cable ownership and permit interest to operate the cable system in question to Satview;

WHEREAS, in accordance with Ordinance No. 2000-6, Baja and Satview have submitted an application with the necessary documentation requesting approval of the transfer of interests from Baja to Satview and a Certificate and Acceptance of Franchise from the BCC to Satview;

WHEREAS, the application for transfer represents and certifies that Satview is financially and technically capable of delivering the services contemplated;

WHEREAS, Pursuant to Ordinance No. 2000-6 Satview is required to apply for and receive a separate Certificate and Acceptance of Franchise from the BCC;

WHEREAS, Santa Fe County conducted a public hearing on this request to approve the transfer of interests and to grant Satview a franchise; and

WHEREAS, the BCC has evaluated the matter and determined that all requirements of Ordinance 2000-6 have been met and Satview has the technical and financial ability to operate a cable system in parts of northern New Mexico.

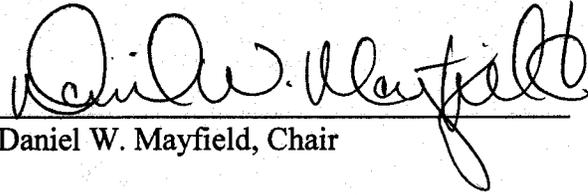
NOW THEREFORE, BE IT RESOLVED, that the transfer from Baja to Satview is approved and that Satview is granted a Certificate and Acceptance of Franchise subject to the following terms and conditions:

- 1) The franchise area is defined by the attached maps, designated as Exhibit "A" and incorporated herein by reference.
- 2) The expiration of this franchise shall be ten (10) years from the effective date, which shall be the date this Resolution is filed with the County Clerk.
- 3) Satview shall comply with all terms and conditions set forth in Ordinance No. 2000-6, as amended or replaced, and other applicable laws and County ordinances.
- 4) Satview shall pay a franchise fee of 5% of its annual gross revenue derived from its operations within the franchise area. Payment shall be made quarterly to the County of Santa Fe and within sixty (60) days following the close of each calendar quarter in accordance with Ordinance No. 2000-6.

PASSED, APPROVED and ADOPTED this 14th DAY OF January 2014.

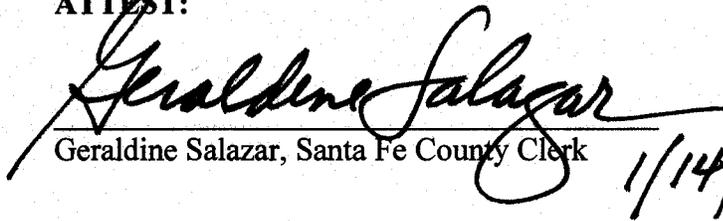
BCC CLERK RECORDED BY THE CLERK

BOARD OF COUNTY COMMISSIONERS

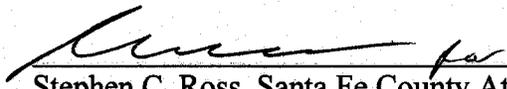

Daniel W. Mayfield, Chair



ATTEST:


Geraldine Salazar, Santa Fe County Clerk 1/14/2014

APPROVED AS TO FORM:


Stephen C. Ross, Santa Fe County Attorney

BCC CLERK RECORDED 01/15/2014



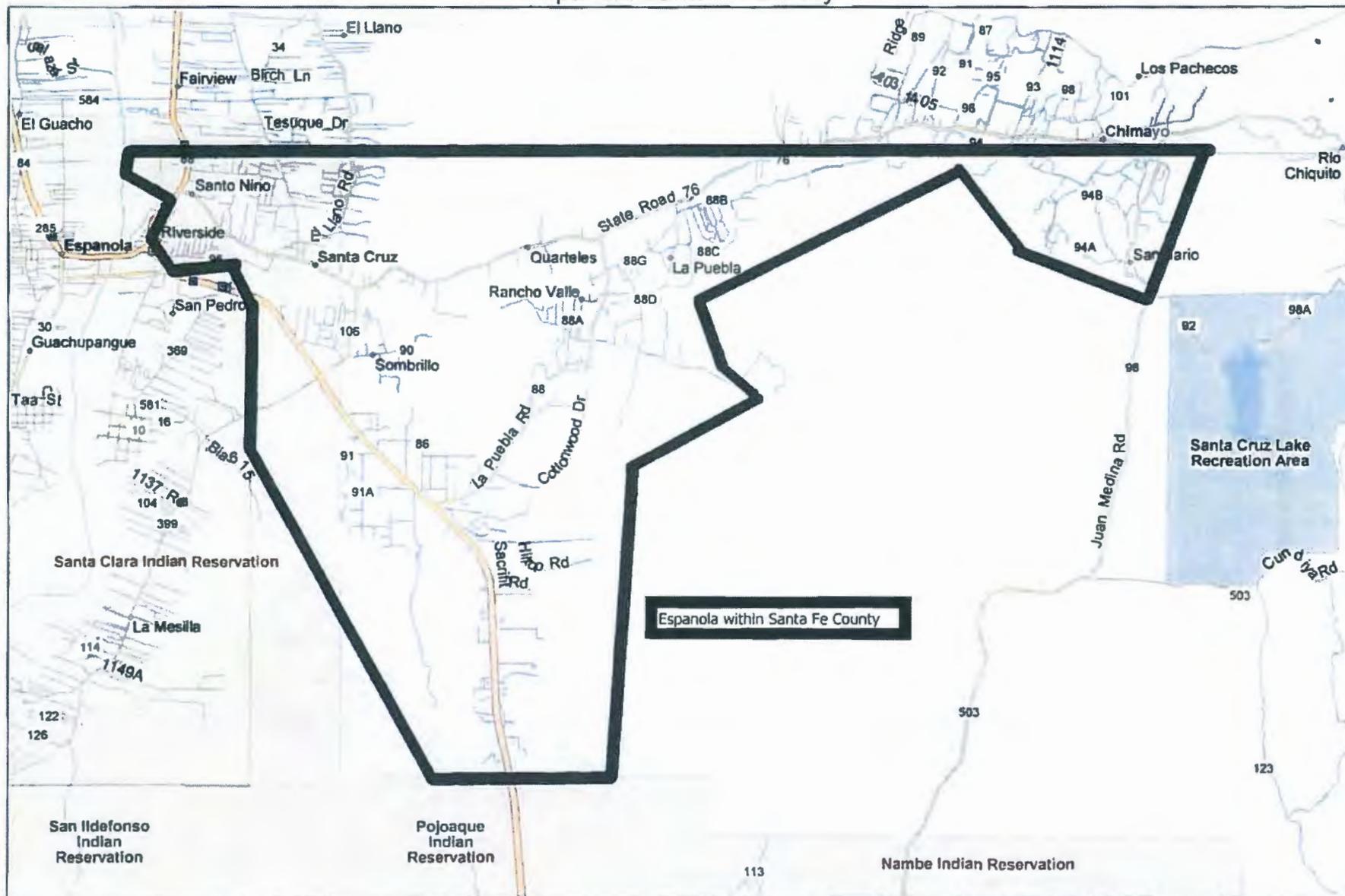
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of January, 2014 at 09:20:59 AM
And Was Duly Recorded as Instrument # 1727676
Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

Espanola Santa Fe County



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REC'D CLERK RECORDED 02/05/2012