

## **Information on Inter Mountain Cable's Commercial Leased Access Program**

Updated May \_\_, 2008

### **Introduction**

The information on this page is provided to help you understand the procedures and the rules for obtaining leased access time on Inter Mountain Cable systems, and those of its affiliates.

### **How to Request Information on Our Leased Access Program**

For information regarding leased access you may use the contact information below to inquire electronically, by telephone, or in writing or you may obtain information in person at our customer service centers.

Rebecca A. Walters  
Customer Service & Billing Supervisor  
Inter Mountain Cable Inc  
20 Laynesville Road  
PO Box 159  
Harold KY 41635-0159  
PH: 606-478-9406 EXT 6217  
FAX: 606-478-1680  
[rwalters@gearheart.com](mailto:rwalters@gearheart.com)

The information request submitted to Inter Mountain Cable should include the following:

1. The programmer's name (and/or company name, if any).
2. The programmer's address
3. The programmer's email address
4. The programmer's telephone number
5. Cable systems/communities for which the leased access programmer seeks information.

### **SUMMARY OF COMMERCIAL LEASED**

## ACCESS STATUTE AND FCC RULES

The Cable Communications Policy Act of 1984 included Section 612 which established the statutory framework for commercial leased access. Section 612 was amended in the Cable Television Consumer Protection and Competition Act of 1992. Section 612 is a part of the Communications Act of 1934, as amended. Section 612 sets forth the requirements for cable operators to designate a percentage of their channel capacity for commercial use and allows cable operators to use that designated capacity until leased access use is obtained by an unaffiliated person pursuant to a written agreement. You may [click here to view Communications Act Section 612 \[INSERT LINK TO \[www.fcc.gov/Reports/1934new.pdf\]\(http://www.fcc.gov/Reports/1934new.pdf\)\]](#).

The Federal Communications Commission (“FCC”) has adopted rules for cable operators to establish the price, terms and conditions for use of the operator’s designated leased access channel capacity. The FCC has also promulgated rules for resolving disputes concerning leased access rates, terms and conditions. You may [click here to view the FCC’s commercial leased access rules \[INSERT: \[http://www.access.gpo.gov/nara/cfr/waisidx\\\_07/47cfr76\\\_07.html\]\(http://www.access.gpo.gov/nara/cfr/waisidx\_07/47cfr76\_07.html\)\]](#).

Set forth below is a brief explanation of the FCC’s commercial leased access rules:

**§ 76.970, Commercial Leased Access Rates.** These rates are regulated. This rule provides the methodology and formula for calculating commercial leased access rates.

**§ 76.971, Commercial Leased Access Terms and Conditions.** This rule specifies that cable operators may place leased access programming on any tier with subscriber penetration of over 50%, permits cable operators to make reasonable channel selections for leased channels and sets out requirements for part-time (no less than 1/2 hour) leased access requests. Requirements for programming production standards, technical support, security deposits, insurance, billing and collection, length of contracts and resale of leased access capacity are also specified in this rule.

**§ 76.972, Customer Service Standards.** This rule sets forth the requirements for cable operators’ responses to requests for commercial leased access information, requirements for proposals from commercial leased access programmers and responses from cable operators.

**§ 76.975, Commercial Leased Access Dispute Resolution.** This rule provides the dispute resolution procedures that are available to any person aggrieved by the failure or refusal of a cable operator to make channel capacity available in accordance with Section 612 or the FCC’s rules.

**§ 76.977, Minority and Educational Programming.** In this rule, the FCC states the requirements for a cable operator to use leased access channel capacity for qualified minority and educational programming.

**§ 76.978, Leased Access Annual Reporting Requirement.** This rule sets forth the FCC's annual reporting requirement for leased access.