

[Comcast letterhead]

July 30, 2020

Northern Dakota County Cable Communications Commission  
5845 Blaine Avenue  
Inver Grove Heights, MN 55076

Dear Northern Dakota County Cable Communications Commission:

The purpose of this letter of agreement is to memorialize commitments between Comcast of St. Paul, Inc. (“Comcast”) and the Northern Dakota County Cable Communications Commission (“Commission”) that are in addition to the obligations contained in the renewal franchise agreement to be adopted by the Commission’s seven member cities (hereinafter collectively, “the Franchise”). These items set forth herein: 1) have been negotiated in good faith and mutually agreed to by the parties as part of the informal franchise renewal process pursuant to 47 U.S.C. 546(h); 2) are provided by Comcast in consideration of the grant of the Franchise by the City; and 3) specifically relate to unique community needs that exist in the Commission and its member cities. This letter of agreement shall become effective upon approval by the Commission.

**1. Complimentary Cable Service to Public Buildings/Schools**

a. Comcast and the Commission agree that under the FCC Section 621 Order (currently pending appeal), complimentary accounts are not a condition of the renewed franchise. Comcast will itemize fair market value price for all former complimentary service locations (approximately 46 sites in Comcast’s current Franchise effective April 2000, attached as Exhibit A), which shall be at rates at or below the attached Comcast municipal pricing sheet at Exhibit C (*Comcast’s municipal pricing sheet to be attached as Exhibit C*), and shall be subject to Comcast’s regular, nondiscriminatory rate adjustments.

b. Commission/City or former Complimentary Service recipients (schools, libraries, et al) have the right to choose to retain Cable Service at the rates listed on the municipal pricing sheet or terminate Cable Service to their Location.

c. If the FCC Section 621 Order (*Third Report and Order in MB Docket No. 05-311 adopted by the FCC on August 1, 2019*) (herein “621 Order”) is stayed or overturned by action of the FCC or through judicial review, and franchise-mandated complimentary services to public buildings are no longer considered to be “franchise fees” under 47 USC §542, then for the remaining Franchise term Commission/City may require Comcast to provide complimentary basic Cable Service to the former Complimentary Service Locations listed in Exhibit B.

**2. Institutional Network – I-Net**

a. The I-Net is not a condition of the renewed cable franchise. Comcast will wind down its I-Net obligation as follows:

i. Comcast will provide existing dark fiber connections (former I-Net fiber), at no charge, from the Effective Date of the renewed franchise through the end of calendar year 2020 (“Termination Date”), to the following locations:

(A) Four (4) Inver Grove Heights sites; and

(B) Two (2) West St. Paul sites.

ii. Comcast will provide exactly what is in place today under the former franchise(s) (franchises adopted in the year 2000) to the above six (6) sites – no managed services required by the cities/sites.

iii. In the event the Cities should experience unavoidable fiber construction delays in 2020 (i.e. the COVID-19 crisis, weather, early winter frost, etc.) the Commission shall have the option to extend the Termination Date for any of the above locations. Any such extension of the Termination Date shall not extend beyond October 31, 2021. If such an extension is required, the Commission shall pay Comcast \$330 per location for each additional month beyond the end of calendar year 2020.

iv. But for any unavoidable construction delays for the six sites noted above, Comcast is relieved of the obligation to serve all other existing I-Net sites as of January 1, 2021 and shall have no further obligation to provide I-Net services.

v. The parties agree that Comcast shall not treat any costs incurred in performing under this Paragraph 2 as franchise fees, and agree that this provision is a reasonable way to come into compliance with the 621 Order as contemplated in the FCC’s Order on Reconsideration of the 621 Order (¶5)(Released Feb. 11, 2020).

The terms and conditions of this letter agreement are binding upon the Commission and Comcast and their successors and assigns. In the event Comcast seeks to transfer the Franchise to another entity, Comcast agrees to require the new transferee to honor the terms of this side letter agreement as a condition of such transfer. Enforcement of the terms of this letter agreement shall be consistent with the enforcement procedures set forth in the Franchise.

Acknowledged and agreed to this \_\_\_ day of \_\_\_\_\_, 2020.

Comcast of St. Paul, Inc.

Northern Dakota County Cable  
Communications Commission

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

**EXHIBIT A**

**NDC4 COMCAST FRANCHISE EXHIBIT B-1 Effective April 2000 to present**

**(FORMER) SERVICE TO PUBLIC AND PRIVATE BUILDINGS**

**Dakota County**

**IN NDC SYSTEM**

Inver Glen Library  
8098 Blaine Avenue  
Inver Grove Heights, MN 55076

Wentworth Library  
199 East Wentworth Avenue  
West St. Paul, MN 55118  
Northern Service Center  
(under construction)  
5 West Mendota Road

**ISD #199**

Inver Grove Elementary School  
4100 East 66th Street  
Inver Grove Heights, MN 55076

Pine Bend Elementary School  
9875 Inver Grove Trail  
Inver Grove Heights, MN 55076

Hilltop Elementary School  
3201 East 68th Street  
Inver Grove Heights, MN 55076

South Grove Elementary School  
7650 Clayton Avenue  
Inver Grove Heights, MN 55076

Salem Hills Elementary School  
5899 East Babcock Trail  
Inver Grove Heights, MN 55076

***ALL IN ONE COMPLEX***

Inver Grove Middle School  
8167 Cahill Avenue East  
Inver Grove Heights, MN 55076

Simley Senior High School  
2920 East 80th Street  
Inver Grove Heights, MN 55076

ISD #199 District Office  
2990 80th Street East  
Inver Grove Heights, MN 55076

## **Inver Grove Heights**

Inver Grove Heights City Hall  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077

Inver Grove Heights Police Department  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077

IGH Fire Department  
2059 Upper 55th Street E  
Inver Grove Heights, MN 55077

IGH Fire Department  
7015 Clayton Avenue  
Inver Grove Heights, MN 55076

### **ISD #197**

Henry Sibley High School  
1897 Delaware Avenue  
Mendota Heights, MN 55118

Friendly Hills Middle School  
701 Mendota Heights Road  
Mendota Heights, MN 55118

Heritage Middle School  
121 West Butler Avenue  
West St. Paul, MN 55118

Somerset Elementary School  
1355 Dodd Road  
Mendota Heights, MN 55118

Mendota Heights Elementary School  
1979 Summit Lane  
Mendota Heights, MN 55118

Moreland Elementary School  
217 West Moreland Avenue  
West St. Paul, MN 55118

Garlough Elementary School  
1740 Charlton Street  
West St. Paul, MN 55118

## **West St. Paul**

West St. Paul City Hall  
1616 Humboldt Avenue  
West St. Paul, MN 55118

**South St. Paul**

South St. Paul City Hall  
125 3rd Avenue  
South St. Paul, MN 55075

South St. Paul Public Library  
106 3rd Avenue N.  
South St. Paul, MN 55075

Wakota Arena (School)  
141 East 6th Street  
South St. Paul, MN 55075

South St. Paul Municipal  
Airport (Fleming Field)  
520 Airport Road  
South St. Paul, MN 55075  
(shall be considered a subsequently designated  
building pursuant to Section 6(2) of this Franchise)

**Lilydale**

Lilydale City Hall  
855 Sibley Memorial Hwy  
Lilydale, MN 555118

**Sunfish Lake**

Sites to be determined

**Mendota**

Sites to be determined

**Mendota Heights**

Mendota Heights City Hall  
1101 Victoria Curve  
Mendota Heights, MN 55118

Mendota Heights Police Department  
1101 Victoria Curve  
Mendota Heights, MN 55118

Mendota Heights Fire Department  
2121 Dodd Road  
Mendota Heights, MN 55120

## **South St. Paul Schools**

South St. Paul High School  
700 2nd St. N.  
South St. Paul, MN 55075

District Office  
104 5th Ave. So.  
South St. Paul, MN 55075

ECFE  
1549 5th Ave. So.  
South St. Paul, MN 55075

Lincoln Center  
357 9th Ave. N.  
South St. Paul, MN 55075

Kaposia Education Center  
1225 1st Ave. So.  
South St. Paul, MN 55075

ALC  
151 6th St. E.  
South St. Paul, MN 55075

### **Private Schools**

Convent of the Visitation School  
2455 Visitation Drive  
Mendota Heights, MN 55120

St. Croix Lutheran High School  
1200 Oakdale Avenue  
West St. Paul, MN 55118

St. Joseph's School  
1138 Seminole Avenue  
West St. Paul, MN 55118

St. Thomas Academy  
949 Mendota Heights Road  
Mendota Heights, MN 55120

Emanuel Lutheran School  
115 Crusader Avenue  
West St. Paul, MN 55118

St. John Vianney School  
1815 Bromley Street  
South St. Paul, MN 55075

St. Michael's School  
335 E. Hurley Street  
West St. Paul, MN 55118

Holy Trinity School  
745 - 6th Avenue S.  
South St. Paul, MN 55075

### **Colleges**

Inver Hills Community College  
2500 East 80th Street  
Inver Grove Heights, MN 55076

**EXHIBIT B**

<b>LOCATION</b>	<b>ADDRESS</b>
City of IGH	
FIRE DEPT, INVER GROVE HTS	7015 CLAYTON AVE APT 1
FIRE DEPT, IGH 3	2059 UPPER 55TH ST E
FIRE DEPT, NEW STATION 2	9200 COURTHOUSE BLVD 55077
CITY OF, INVER GROVE	8150 BARBARA AVE
ISD #199	
ELEM SCHOOL, HILLTOP	3201 68TH ST E
MIDDLE SCHOOL, IGH	8167 CAHILL AVE
SCHOOL, SIMLEY HIGH	2920 80TH ST E
SCHOOL, PINE BEN	9875 INVER GROVE TRL
ELEM SCHOOL, SALEM	5899 BABCOCK TRL
LIBRARIES	
LIBRARY, INVER GROVE	8098 BLAINE AVE
LIBRARY, S ST PAUL	106 3RD AVE N
LIBRARY, WEST ST. PAUL	Wentworth Avenue
CABLE COMM, NDC	5845 BLAINE AVE APT 1
CABLE COMM, NDC	5845 BLAINE AVE APT 2
CITY HALL, LILYDALE	1011 SIBLEY MEMORIAL HWY
City of Mendota Heights	
CITY HALL, MENDOTA HEIGHTS	1101 VICTORIA CURV
POLICE DEPT, MENDOTA HGTS	1101 VICTORIA CURV
FIRE DEPT, MENDOTA HGTS	2121 DODD RD
ISD #197	
HIGH SCHOOL, HENRY SIBLEY	1897 DELAWARE AVE APT A
SCHOOL, MENDOTA	1979 SUMMIT LN
MIDDLE SCHO, FRIENDLY HILLS	701 MENDOTA HEIGHTS RD
MIDDLE SCHOOL, HERITAGE	121 BUTLER AVE W
ELEM SCHOOL, PAUL MORELAND	217 MORELAND AVE W
ELEM SCHOOL, GARLOUGH	1740 CHARLTON ST
SOMERSET ELEMENTARY SCHOOL	1355 DODD ROAD
SOUTH ST. PAUL SCHOOLS #6	
SENIOR HIGH, S ST PAUL	700 2ND ST N
CENTER, KAPOSIA EDUCATION	1225 1ST AVE S
ELEMENTARY, LINCOLN CENTER	357 9TH AVE N
BUILDING, S ST PAUL ADMIN	104 5TH AVE S
City of SSP	
CITY HALL, SSP	125 3RD AVE N
FIRE, S ST PAUL	310 MARIE AVE
POLICE DEPT, S ST PAUL	125 3RD AVE N APT B
MAINT BUILDING, S ST PAUL	400 RICHMOND ST W

<b>LOCATION</b>	<b>ADDRESS</b>
City of WSP	
CITY HALL, W ST PAUL	1616 HUMBOLDT AVE APT A
FIRE FIGHTERS, INTL ASSN OF	1616 HUMBOLDT AVE APT B
POLICE, WEST ST PAUL	1616 HUMBOLDT AVE
PUBLIC WORKS, W ST PAUL	403 MARIE AVE E

**EXHIBIT C**

<b>BUSINESS BASIC CABLE PRICING</b>	<b>BUSINESS SELECT CABLE PRICING</b>	<b>BUSINESS SERVICE EQUIPMENT &amp; FEES</b>
Currently \$24.60 - includes BTV Fee.	Currently \$42.65 - includes BTV and RSN Fees.	\$9.95 per piece of equipment (DTA or HD Box). \$5.00 per account for HD Service