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**CITY OF ALBUQUERQUE**  
**CABLE FRANCHISE AND HEARING BOARD**

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**RESOLUTION 2018-04**

**SUPPORTING NET NEUTRALITY AND RECOMMENDING THE INCORPORATION  
OF NET NEUTRALITY PRINCIPLES INTO THE  
COMCAST FRANCHISE RENEWAL ORDINANCE**

**WHEREAS** Section 13-5-2-1 of the Revised Ordinances of Albuquerque (1994) establishes the duties of the Cable Franchise and Hearing Board (also, “Cable Board”) to include, among other things, advising and providing the Mayor and City Council recommendations on the cable television franchise ordinances;

**WHEREAS** the current Comcast Cable Television Franchise Ordinance will expire on October 1, 2018 and is currently in the process of being renegotiated;

**WHEREAS** the Cable Board provides a forum for public participation in the Comcast cable television franchise renewal process;

**WHEREAS** the Cable Board has met with members of the City of Albuquerque’s (“City’s”) negotiating team; reviewed the City’s draft cable television franchise renewal ordinance; and is otherwise fully advised on the issues entailed therein;

**WHEREAS** Mayor Tim Keller has signed the Cities Open Internet Pledge and in doing so joins with more than one hundred other cities in calling for cities to take all available steps to ensure the internet remains open and to keep private companies from throttling, blocking or limiting content on the internet;

**WHEREAS** the Cable Board supports Mayor Keller’s statement, “The internet is a shared resource that is essential for businesses of all sizes for people from all walks of life. Albuquerque residents need to know that vital information from government websites – and from all websites – is not being stalled or stopped for profit. Access to [the] internet at workable speeds is critical to moving toward digital equity for all in our city.”

1 **BE IT RESOLVED THE CABLE FRANCHISE AND HEARING BOARD**  
2 **RECOMMENDS THE FOLLOWING:**

3 **SECTION 1.** The Comcast franchise renewal ordinance should incorporate net  
4 neutrality principles, including the provisions that Comcast shall not:

5 a. Block lawful content, applications, services, or nonharmful devices,  
6 subject to reasonable network management that is disclosed to the customer;

7 b. Throttle, impair or degrade lawful internet traffic on the basis on internet  
8 content, application, or service, or the use of nonharmful devices, subject to reasonable network  
9 management that is disclosed to the consumer;

10 c. Engage in paid prioritization; or

11 d. Unreasonably interfere with or unreasonably disadvantage:

12 i. End users' ability to select, access, and use broadband internet  
13 access service or the lawful internet content, applications, services, or devices of their choice; or

14 ii. Content providers' ability to make lawful content, applications,  
15 services, or devices available to end uses.

16 **PASSED AND ADOPTED BY THE CABLE FRANCHISE AND HEARING BOARD on**  
17 **this 10<sup>th</sup> day of July 2018.**

18 **BY A VOTE OF: 2 FOR AND 0 AGAINST.**

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20 /s/ Brian White  
21 **Brian White, Chair**

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24 /s/ Giovanni Alexander Haqani  
25 **Giovanni Alexander Haqani, Member**

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28 Absent  
29 **Sandy Barnhart y Chavez, Member**