

# Ohio Department of Commerce

## Video Service Authorization

**Video Service Provider: Richards TV Cable Company Inc. doing business as New Athens TV Cable Company; Morristown TV Cable Company; and Richards TV Cable Company**

VSA Number: 2008-VSA-0036  
Application Date: April 2, 2008

VSA Effective Date: October 31, 2008  
VSA Expiration Date: October 31, 2018

IS HEREBY GRANTED AN AUTHORIZATION TO PROVIDE VIDEO SERVICE IN THE VIDEO SERVICE AREA SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO THE PROVISIONS OF 1332.21 THROUGH 1332.34 OF THE OHIO REVISED CODE AND THE TERMS AND CONDITIONS OF THIS AUTHORIZATION.

### Terms and Conditions of the Authorization

#### A. Video Service Area

The video service provider is authorized to provide video service in the areas listed on the attached sheet.

#### B. Notice

##### 1. Assurance of Voluntary Compliance Agreement

The provider shall comply with the Assurance of Voluntary Compliance Agreement.

##### 2. Current Service Area:

No later than 10 days after the effective date of this authorization the video service provider shall provide written notice to the municipal corporations and/or townships where it is currently providing video service that it has been issued this video service authorization. The notice shall state in accordance with 1332.23(B)(2)(d) of the Ohio Revised Code that upon the effective date of this video service authorization the franchise or competitive video service agreement terminates and no provision of that franchise or agreement is enforceable. Further, the notice shall state that the municipal corporation and/or township are advised to review section 1332.21 through 1332.34 of the Ohio Revised Code to determine their rights and responsibilities. The video service provider shall also provide a copy of the above stated notice to the Director of the Ohio Department of Commerce.

##### 3. Future Service Area:

The video service provider shall provide the Director of the Ohio Department of Commerce with a copy of any notice issued to a municipal corporation or township in compliance with the requirements in 1332.27(A) of the Ohio Revised Code. This notice shall be provided to the Director within 5 days of issuance to the municipal corporation or township. The notice provided to the municipal corporation or township shall also state that the municipal corporation and/or township are advised to review section 1332.21 through 1332.34 of the Ohio Revised Code to determine their rights and responsibilities.

##### 4. Institutional Network:

The video service provider shall provide the Director of the Ohio Department of Commerce with a copy of the one hundred twenty days' written advance notice of termination issued to a municipal corporation or township in compliance with the requirements in R.C. 1332.30(C).

##### 5. R.C. 1332.30 (E)(1) and (F)(1):

If the video service provider contends that its obligation under R.C. 1332.30 (E)(1) and (F)(1) terminates prior to January 1, 2012, then no later than 60 days from the effective date of this authorization the video service provider shall provide written notice to the municipal corporation or township with the earlier termination date. The

video service provider shall also provide a copy of the above stated notice to the Director of the Ohio Department of Commerce.

## 5. Customer Service Standards

The video service provider will meet the compliance schedule in the Assurance of Voluntary Compliance Agreement. Any customer service standards not addressed in the Agreement will be implemented as follows.

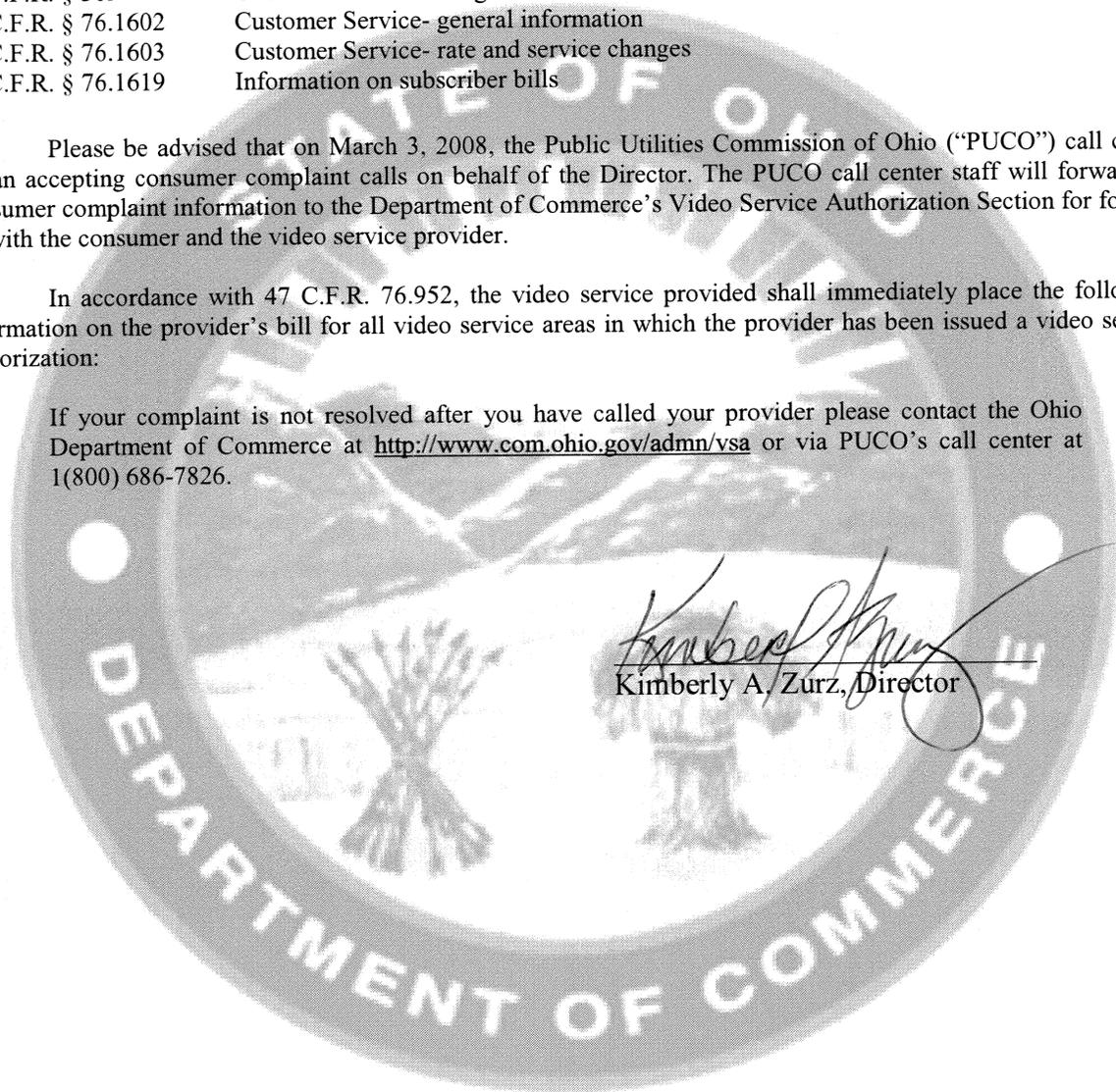
In accordance with the Federal Communication Commission's regulations, the Director is hereby providing the video service provider with 90 days advance written notice that commencing January 31, 2009, she will be enforcing the following customer service standards:

47 C.F.R. § 309	Customer Service Obligations
47 C.F.R. § 76.1602	Customer Service- general information
47 C.F.R. § 76.1603	Customer Service- rate and service changes
47 C.F.R. § 76.1619	Information on subscriber bills

Please be advised that on March 3, 2008, the Public Utilities Commission of Ohio ("PUCO") call center began accepting consumer complaint calls on behalf of the Director. The PUCO call center staff will forward all consumer complaint information to the Department of Commerce's Video Service Authorization Section for follow-up with the consumer and the video service provider.

In accordance with 47 C.F.R. 76.952, the video service provider shall immediately place the following information on the provider's bill for all video service areas in which the provider has been issued a video service authorization:

If your complaint is not resolved after you have called your provider please contact the Ohio Department of Commerce at <http://www.com.ohio.gov/admn/vsa> or via PUCO's call center at 1(800) 686-7826.



*Kimberly A. Zurz*  
Kimberly A. Zurz, Director

**Richards TV Cable Company's Service Areas**  
**VSA Number: 2008-VSA-0036**

**Sub-Authorizations:**

**-07 Belmont**

Richland Township

Union Township

Wayne Township

**-34 Harrison**

Athens Township

**-56 Monroe**

Malaga Township

Sunbury Township

**BEFORE THE OHIO DEPARTMENT OF COMMERCE**

In the Matter of:

**Richards TV Cable Company Inc.**  
51684 Main Street  
P.O. Box D-2  
Jerusalem, Ohio 43747

**ASSURANCE OF VOLUNTARY COMPLIANCE**

**I. PREAMBLE**

1. Kimberly A. Zurz, Director of Ohio Department of Commerce (“Director”) and Richards TV Cable Company, Inc. d/b/a New Athens TV Cable Company, Morristown TV Cable Company, Richards TV Cable Company and Richards and Sons Communication Company (collectively referred to as “Richards TV”), and Mark Richards, individually, and as president of Richards TV Cable Company, Inc. have consented to enter into this assurance of voluntary compliance agreement (“Agreement”).

**II. JURISDICTION**

2. This Agreement is entered into by the parties pursuant to the Director’s authority under Ohio Revised Code (“R.C.”). 1332.24.

**III. PARTIES**

3. This Agreement shall be binding upon Richards TV and Mark Richards as the video service provider and upon their agents, servants, employees, assigns, and successors in interest. Richards TV’s and Mark Richards’ obligation under this Agreement may only be altered by the written approval of the Director.

**IV. SATISFACTION OF VIOLATIONS AND RESERVATION OF RIGHTS**

4. The Director has alleged that Richards TV and Mark Richards have committed numerous violations of the Ohio Video Service Authorization Act arising out of their operation of the cable system. Compliance with the terms of this Agreement shall constitute full satisfaction of any civil liability for operating in violation of R.C. 1332.23 (A) by failing to obtain a video service authorization from December 25, 2007 to October

6, 2008, operating in violation of R.C. 1332.26 (D) (1) by failing to restore service interruptions within 72 hours, and operating in violation of R.C. 1332.26 (D) (2) & (3) by failing to provide consumers with credits for service interruptions.

5. Nothing in this Agreement shall be construed so as to limit the authority of the Director to seek relief against other appropriate persons for claims or conditions alleged in the previous paragraph. Nothing in this Agreement shall be construed so as to limit the authority of the Director to seek relief against Richards TV and Mark Richards or other appropriate persons for claims not alleged above including but not limited to violations which occur after the parties have entered into this Agreement.

#### **V. COMPLIANCE**

6. Richards TV and Mark Richards shall immediately comply with all requirements of R.C. 1332.21 through R.C. 1332.34 and the terms and conditions of the existing video service authorization.

7. Not later than November 10, 2008, Richards TV and Mark Richards will be in compliance with Federal Communication Commission laws and regulations including but not limited to the filing requirements in 47 C.F.R. 76.1600-1622, 1700-1717 and 1800-1805.

8. Not later than November 10, 2008, Richards TV and Mark Richards will maintain a local, toll-free or collect call telephone access line which will be available to their customers 24 hours a day seven days a week.

9. Not later than November 10, 2008, Richards TV and Mark Richards will begin operation of a customer service center located at 51684 Main Street, Jerusalem, Ohio. The center will be staffed with a trained company representative available to respond to customers and telephone inquiries during normal business hours. Normal business hours mean 9 am. to 5 pm. Monday through Friday and 9 am. to 12:00 pm. Saturdays excluding holidays.

10. Not later than November 10, 2008, Richards TV and Mark Richards will operate an access line after normal business hours, and answered by a service or automatic response system such as an answering machine. Calls received after normal hours shall be responded to by a trained company representative on the next business day.

11. Beginning not later than October 25, 2008, Richards TV and Mark Richards will perform standard installations within seven days after such an order is placed. Standard installations are the installations for new orders, or those of existing customers for routine services that are located up to 125 feet from the existing distribution system.

12. Beginning not later than October 25, 2008, Richards TV and Mark Richards will work on service interruptions promptly and in no event later than 24 hours after the interruption becomes known. Richards TV and Mark Richards shall restore video service within seventy-two hours after a customer reports a service interruption or other problem, if the cause was not a natural disaster.

13. Beginning not later than October 25, 2008, Richards TV and Mark Richards will respond to a billing dispute from a customer within 30 days of receiving a written complaint.

14. Beginning not later than October 25, 2008, Richards TV and Mark Richards, within 30 days after resolution of the request or the customer's next billing cycle following resolution of the request, whichever is earlier, will issue refund checks to the customers as appropriate.

15. Beginning not later than October 25, 2008, Richards TV and Mark Richards will issue credits, as appropriate, to customers no later than the customer's next billing cycle following the determination that a credit is warranted.

16. Not later than December 1, 2008, and annually thereafter, Richards TV and Mark Richards shall submit to each customer the following:

- a) Products and service offered;

- b) Prices and options for programming services and conditions of subscription to programming and other services;
- c) Installation and service maintenance policies;
- d) Instructions on how to use the cable service;
- e) Channel positions of programming carried on the system; and
- f) Billing and Complaint procedures. This will include providing the consumer with information that the Ohio Department of Commerce is the franchising authority and can be contacted at <http://www.com.ohio.gov/admn/vsa> or via PUCO's call center at 1(800) 686-7826.

17. Not later than October 25, 2008, Richards TV and Mark Richards shall implement the following procedure to respond to inquires from the Ohio Department of Commerce:

- a) Provide an initial response to inquires from the Director or her staff within 1 business day after receipt; and
- b) If the inquiry concerns a consumer complaint, then Richards TV and Mark Richards shall provide the Director or her staff with updates every three days after the initial response until the matter is resolved.

18. Not later than October 25, 2008, Richards TV and Mark Richards shall implement a process in which each customer call is entered into a log book. The log shall include, but not be limited to: customer's name, address, and phone number, date of call, nature of call, actions taken, and final resolution. The log book shall be maintained daily and shall be available for inspection at the customer service center during normal business hours. Copies of pages of the log book shall be submitted immediately to the Director or staff upon request.

19. Not later than November 10, 2008, Richards TV and Mark Richards will mail to each customer a signed copy of the letter attached hereto and marked as Attachment A.

**VI. TIME EXTENSIONS**

20 Any request for a time extension must be submitted in advance of a deadline and in writing to the Director. No time extension is deemed granted upon submission, and shall not be effective until written approval is received from the Director or her staff.

**VII. SUBMISSION OF DOCUMENTS AND NOTICES**

21. Richards TV shall submit all documents and copies of notices required under this Agreement to:

Director of the Ohio Department of Commerce  
c/o Video Service Authorization Section  
77 South High Street, 23<sup>rd</sup> Floor  
Columbus, Ohio 43215  
Or emailed to [VSA@com.state.oh.us](mailto:VSA@com.state.oh.us).

All Notices from the Director or her staff shall be served by ordinary mail to Richards TV and Mark Richards at the address listed below. Notice to either Richards TV or Mark Richards is deemed to be notice to both:

Richards TV Cable Company, Inc.  
51684 Main Street  
P.O. Box D-2  
Jerusalem, Ohio 43747

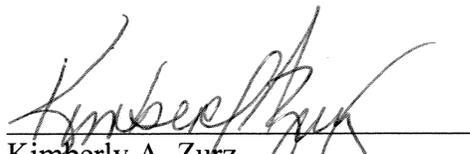
**VIII. CIVIL PENALTIES**

22. Richards TV and Mark Richards acknowledge that failure to comply with any portion of this Agreement may subject them, individually or jointly, to an assessment of civil penalties pursuant to R.C. 1332.24 (C) (1) (c).

**IX. SIGNATORY AUTHORITY**

23. Each undersigned representative or party to this Agreement certifies that he or she is fully authorized to enter into this Agreement and to legally bind such party to this Agreement.

**IT IS SO AGREED:**

  
\_\_\_\_\_  
Kimberly A. Zurz  
Director of Ohio Department of Commerce

10/30/08  
Date

  
\_\_\_\_\_  
Mark Richards, individually and as President  
of Richards TV Cable Company, Inc.

10-21-08  
Date

## ATTACHMENT A

November 3, 2008

Customer Name  
Customer Address  
City, State Zip

RE: Richards TV Cable Company doing business as New Athens, Morristown Cable  
and Richards and Sons Cable TV

Dear Customer Name:

As a subscriber of Richards TV Cable Company or one of its sister companies, I would like to share some exciting news with you. As you may be aware, the Ohio General Assembly enacted a law which gave the Ohio Department of Commerce regulatory oversight over cable television providers who have applied for and received a video service authorization from the Department. The new law became effective on September 24, 2007. Richards TV Cable Company was recently granted a video service authorization.

Under this new law, consumers are guaranteed certain consumer protections. The consumer protections are outlined for you on the attached document. Richards TV Cable Company must implement the consumer protections contained in the attachment. Additionally, Richards TV Cable Company will have a customer service center open at 51684 Main St. Jerusalem, Ohio for your convenience. Our customer service center can also be reached at (800) 458-3736. A trained customer service representative will be available between 9 am. to 5 pm. Monday through Friday and 9 am. to 12:00 pm. Saturdays, excluding holidays, to answer service or billing related questions or take requests for repairs. If a representative is unavailable to take your call, please leave a message and someone will return your call within one business day.

In addition to the consumer protections mentioned above, subscribers can also contact the Ohio Department of Commerce at <http://www.com.ohio.gov/admn/vsa> or via PUCO's call center at 1(800) 686-7826 for further assistance with unresolved billing or service issues.

Thank you for your continued patronage.

Sincerely

Mark Richards  
General Manager