

# North Carolina Secretary of State

## IT

## **Cable Television Franchises**

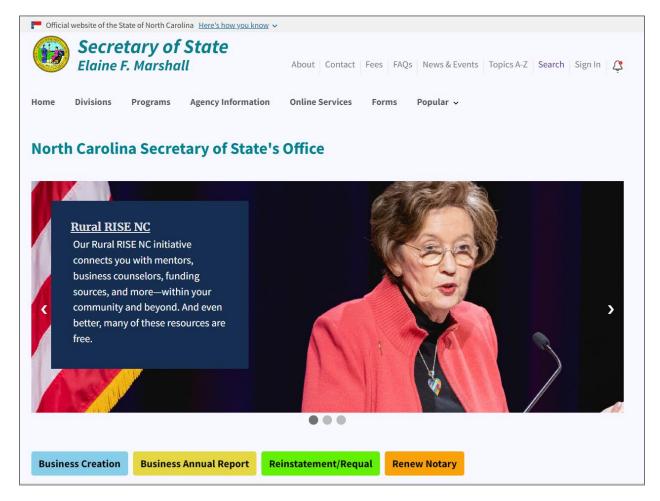
## **KB Website Manual**

March 8, 2024

Version 1.0

## About the Cable Television Franchises Manual

This manual gives an overview of all the pages and features of the Cable TV Franchises section of the KB website.



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## **Cable Television Franchise Services**

This manual gives an overview of the pages and features of the **Cable Television Franchise** section of the Secretary of State's new KB website.

Go to the North Carolina Secretary of State's Office website at: https://sosnc.gov.

#### Select Programs.

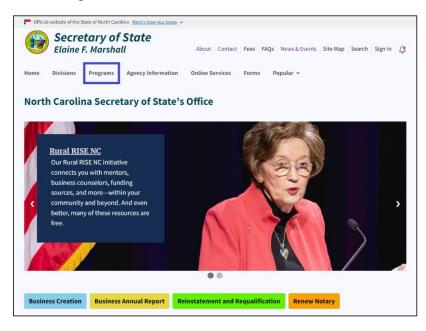


Figure 1. Programs menu highlighted

On the Programs page, select the Cable Television for Franchises link.

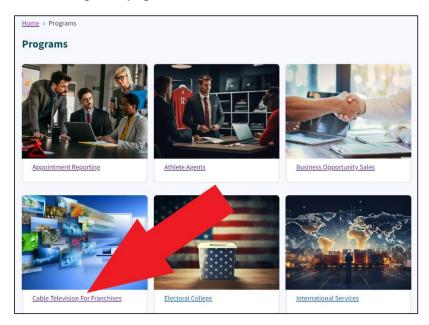


Figure 2. Red arrow pointing to the Cable Television for Franchises link

This takes you to the Cable Television Franchises page.

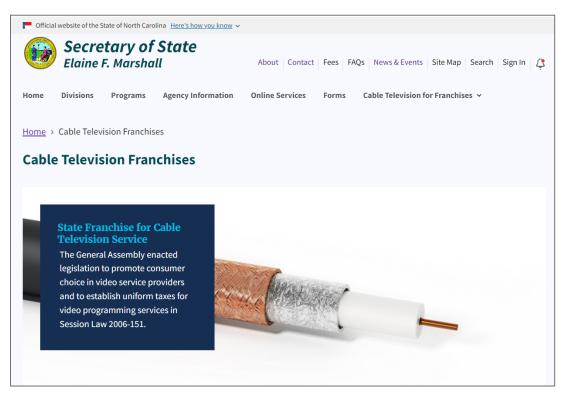


Figure 3. Cable Television Franchises page

The Cable TV page has a search tool.

Search Cable Television Fi	ranchises	
Words		
All	\$	
Search(Required)		
City		
All	\$	
County		
	\$	

Figure 4. Search tool

Use the **Search Cable Television Franchises** tool to search for cable television franchises in North Carolina.

Select the search method in the **Words** dropdown and then type the name of the company in the **Franchise Name** entry field. Select the **City** and **County**.

Click Search.

For this example, select **"Starting With"** in the **Words** dropdown and type **"Nash"** in the **Search** dropdown.

\$
~
~
\$
\$

Figure 5. Search tool

Click Search.

The **Search Results** display the Cable TV Franchise's name. You can expand the tile for more options by clicking on the plus (+) sign. See **Figure 6**.

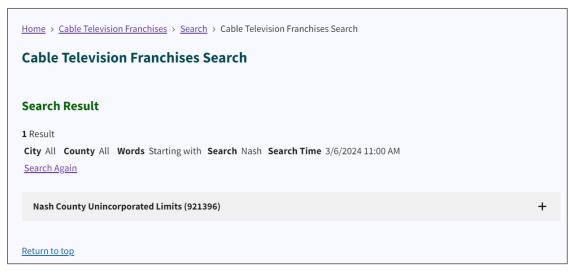


Figure 6. Search Results

Click the plus (+) sign to expand the tile.

me > Cable Television F	anchises > <u>Search</u>	> Cable Television	n Franchises Search		
able Television	Franchises So	earch			
earch Result					
Result					
ty All County All Wo	rds Starting with S	earch Nash Sea	irch Time 3/6/2024	11:00 AM	
earch Again					
0					
Nash County Unincorpo	rated Limits (92139	6)			_
	rated Limits (92139	6)			-
Nash County Unincorpo Franchise Id 921396	rated Limits (92139	6)			-
Nash County Unincorpo Franchise Id 921396 2120 W. Arlington Blvd.	rated Limits (92139	6)			-
Nash County Unincorpo Franchise Id 921396	rated Limits (92139	6)			-

Figure 7. Expandable tile of options

This displays the Frachise ID number, address, and a Filings link.

When you click on the Filings link, additional information displays with a **View Details** link. This link takes you to the PDF copy of the selected filing.

s	•	
• Franchise		
· 2/26/2007		
<ul> <li>V200712000</li> </ul>	009	
View Details		
<ul> <li>Annual Svc. Repo</li> </ul>	t	
o 7/27/2007		
<ul> <li>V200720800</li> </ul>	001	
View Details		

Figure 8. Previous and current filings listed

## **Browse Cable Television Franchises**

The Browse Cable Television Franchises section has ten box image links.

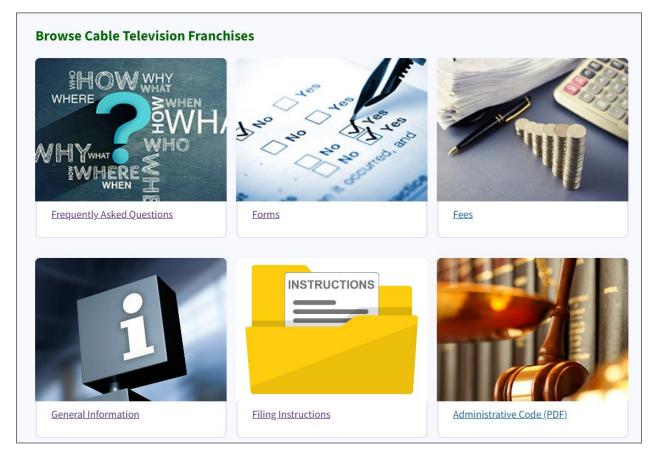


Figure 9. Browse section with links

The ten box links are:

- Frequently Asked Questions
- Forms
- Fees
- General Information
- Filing Instructions
- Administrative Code
- Statutes
- Annual Service Reports
- Service Complaints
- Search

## **Frequently Asked Questions**

The **Frequently Asked Questions** page contains twenty-three questions and answers about Cable Television Franchises.

Home > Frequently Asked Questions > Cable Television Franchises	
Cable Television Franchises	
Frequently Asked Questions	
I don't see any reference to annual service reports on the website, where can I find the form to file?	+
What's the purpose of the State Cable Franchise law?	+
Who issues State Cable TV Franchises?	+
Where can I find the Administrative Rules for Cable Filings?	+
I'm interested in State Cable Franchises. What does the Secretary of State have to do with them?	+
Where can I find the cable franchise forms?	+

Figure 10. Frequently Asked Questions

#### Forms

The Forms page has four downloadable forms:

- Notice of Franchise
- Notice of Commencement of Service
- Notice of Withdrawal
- Notice of Change in Ownership

Home > Forms > Cable Television Franchises
Cable Television Franchises Forms
Updated Refund Policy Refund requests must be made within 45 consecutive days of receipt of funds and will only be issued for amounts over \$10.00.
C-01 • \$125.00 Word Format
Notice of Change in Ownership(PDF) C-05 • No Fee Word Format
C-02 • No Fee

Figure 11. Cable TV Franchise Forms page

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### Fees

The Fees page has a list of the Cable Television Franchise fees.



Figure 12. List of fees

#### List of Fees

The fees for Cable Television Franchises are:

Notice of Franchise (C-01): \$125

Notice of Commencement of Service (C-02) - No fee

Notice of Withdrawal (C-03) — No fee

Notice of Change in Ownership (C-05) - No fee

Articles of Correction (BE-02): \$10

Make checks payable to "North Carolina Secretary of State."

## **General Information**

The General Information page contains a link to the statute and three definitions for: **Existing Agreement**, **Pass a Household**, and **PEG Channel**.

 Home > Cable Television Franchises > General Information

 General Information

 Article 42, Chapter 66, North Carolina General Statutes [2]

 Definitions

 Additional definitions can be found in the actual statute. The statute can be found by clicking on the "Statute" link to the right.

 Existing Agreement

 A local franchise agreement that was awarded under G.S. 153A-137 or G.S. 160A-319 and meets either of the following:

 is in effect on January 1, 2007
 Expired before January 1, 2007, and the cable service provider under the agreement provides cable service to subscribers in the franchise area on January 1, 2007.

 Pass a household

 The provider makes service available to a household, regardless of whether the household subscribes to the service.

A public, educational, or governmental access channel provided to a county or city.



Also, the page lists the required documents for four different filing types. The submission criteria is listed beneath each filing type.

The four filing types are:

- Notice of Franchise
- Commencement of Service
- Notice of Withdrawal
- Notice of Change in Ownership

#### *Notice of Franchise*

A person who intends to provide a cable service over a cable system in an area must file a notice of franchise with the North Carolina Secretary of State before providing service.

The <u>Notice of Franchise</u> form is used for this filing.

#### Commencement of Service

A person who files a notice of franchise must begin providing service in the service area described in the notice within 120 days after the notice is filed. If cable service does not begin within this period, the notice of franchise terminates 130 days after it was filed. The <u>Commencement of Service</u> form is used for this filing.

#### Notice of Withdrawal

A person may withdraw a notice of franchise by filing a notice of withdrawal with the Secretary of State. The notice of withdrawal must be filed at least ninety (90) days before the service is withdrawn. The <u>Notice of Withdrawal</u> form is used for this filing.

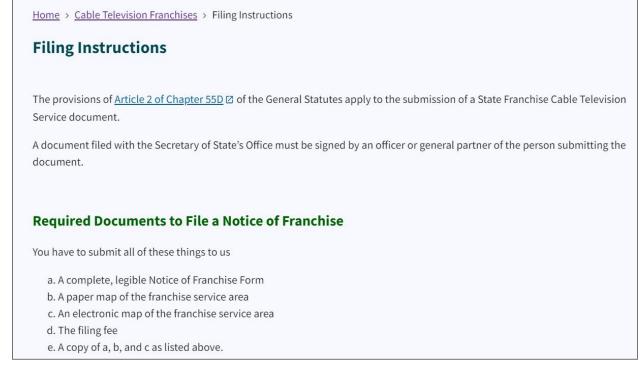
#### Notice of Change in Ownership

A successor in interest to a person who has filed a notice of franchise is not required to file another notice of franchise. When a change in ownership occurs, the owner must file a notice of change in ownership with the Secretary of State within fourteen (14) days after the change becomes effective. The <u>Notice of Change in Ownership</u> form is used for this filing.

A list of fees for each filing type is listed at the bottom of the page along with a link to the State Franchise for Cable Television Service Rules (PDF).

### **Filing Instructions**

The Filing Instructions page gives instructions for filing as a cable television franchise in North Carolina. On this page, you will find links to the law that governs cable television franchises in North Carolina, required documents, and fee information.





The submission package must include:

- 1. A complete, legible Notice of Franchise Form
- 2. A paper map of the franchise service area
- 3. An electronic map of the franchise service area
- 4. The filing fee
- 5. Copies of everything in 1-3.

To read the detailed requirements for submission of a State Franchise Cable Television Service document, see <u>Article 2 of Chapter 55D of the General Statutes</u>.

## Administrative Code (PDF)

This link takes you to directly to the downloadable PDF copy of <u>Title 18, Chapter 13</u> of the NC Administrative Code which explains in detail the filing requirements under Chapters 55, 55A, 55B, 57D, or 59 of the General Statutes.

	CHAPTER 13 – STATE FRANCHISE FOR CABLE TELEVISION SERVICE
	SECTION .0100 – GENERAL REQUIREMENTS
18 NCAC 13.0	0101 SCOPE
The rules in this	s Chapter implement Article 42 of Chapter 66 of the General Statutes.
History Note:	Authority G.S. 55D-5; 55D-10; 66-354(a);
	Temporary Adoption Eff. January 1, 2007;
	Eff. November 1, 2007;
	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.
18 NCAC 13.0	102 DEFINITIONS
The following t	erms and definitions apply to the rules in this Chapter:
(1)	"Act" means Article 42 of Chapter 66 of the North Carolina General Statutes entitled "Stat Franchise for Cable Television Service";
(2)	"Correspond" means to conform to or be obviously similar to, although not agreeing in ever detail;
(3)	"Department" means the Department of the Secretary of State;
(4)	"Filed" means received by the Department and filed pursuant to G.S. 55D-15 and this Chapter;
(5)	"Filer" means a person submitting a filing pursuant to the Act and this Chapter;
(6)	"Filing" and "record" mean those forms, reports, attachments and information submitted in pape or electronic form; and
(7)	"Form" means a form or report promulgated by the Department and required or permitted to b filed pursuant to the Act.
History Note:	Authority G.S. 55D-5; 55D-10; 66-354(a);
	Temporary Adoption Eff. January 1, 2007;
	Eff. November 1, 2007;
	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.
18 NCAC 13.0	<b>TIME</b> re calculated according to the provisions of G.S. 1A-1, Rule 6.



#### **Statutes**

<u>Article 42 State Franchise for Cable Television Service</u> designates exclusive franchising authority to the Secretary of State for cable service provided over a cable system in North Carolina.

Compliance ensures that cable television franchises operate within the State's legal framework.

← C	https://www.ncleg.net/EnactedLegislation/Statutes/html/ByArticle/Chapter_66/Article_42.html	Q	$\forall_{\theta}$	5	ជ	C()	£_≡	œ	89	
	Article 42.									1
	State Franchise for Cable Television Service.									
	Definitions. Ilowing definitions apply in this Article:									
	(1) Cable service. – Defined in G.S. 105-164.3.									
	(2) Cable system Defined in 47 U.S.C. § 522.									
	(3) Channel A portion of the electromagnetic frequency spectrum that is used in a cable system and is capable of deliverin									
	(4) Existing agreement A local franchise agreement that was awarded under G.S. 153A-137 or G.S. 160A-319 and meets e	either	of th	ne fol	lowing	g:				
	a. Is in effect on January 1, 2007.			5 A	c					
	<li>b. Expired before January 1, 2007, and the cable service provider under the agreement provides cable service to st 2007.</li>	abser	ibers	in th	e fran	ichise	area	on Jan	uary	1,
	(5) Pass a household Make service available to a household, regardless of whether the household subscribes to the service									
	(6) PEG channel. – A public, educational, or governmental access channel provided to a county or city.									
	(7) Secretary. – The Secretary of State.									
	(8) Video programming. – Defined in G.S. 105-164.3. (2006-151, s. 1.)									

Figure 16. Statutes page

## **Annual Service Reports**

The annual service report is no longer required. See Annual Service Reports (sosnc.gov).

<u>Home</u> > <u>Cable Television Franchises</u> > Annual Service Reports

#### **Annual Service Reports**

I don't see any reference to annual service reports on the website, where can I find the form to file?

The law requiring the Annual Service Report to be filed by cable providers was repealed by <u>Session Law 2018-145</u> [2] (Section 5.(a)). The Annual Service Report is no longer required to be filed with the North Carolina Secretary of State's Office.

Figure 17. Annual Service Reports page

#### Service Complaints

The NC Secretary of State does not handle cable service complaints. However, there are steps you can take to get help.

Call or contact your cable television company. The contact information should be on your bill.

On your bill, check for:

- If it lists a local government (city, county, town), call the number on the bill. If your bill lists a local government, then your local government is in charge of the cable franchise.
- If it lists the North Carolina Department of Justice or the North Carolina Attorney General, your cable TV is provided under a State cable franchise. The Attorney General has some power to help with State cable franchise issues. Call the number for the Attorney General on your bill or:

North Carolina Department of Justice Consumer Protection Division 9001 Mail Service Center Raleigh, NC 27699-9001 1-877-5-NO-SCAM (919) 716-6000 http://www.ncdoj.gov/Consumer.aspx

### Search

This search tool allows you to access the database of all registered cable television franchises in North Carolina. Businesses use this search tool to connect with potential partners or investors. Customers use this tool to search for details about a local cable television franchise.

<u>Home</u> > <u>Cable TV Franchises</u> > Search Cable TV Franchise	es
Search Cable TV Franchises	
Words	
All	\$
Search(Required)	
City	
All	\$
County	
All	\$
Search	

Figure 18. Search Cable TV Franchises tool