

913. CABLE FRANCHISE: REPORTING REQUIREMENTS

913.010 QUARTERLY REPORTS

Within thirty (30) Days after the end of each calendar quarter, Grantee shall submit to the City along with its Franchise Fee payment, a report showing the basis for computation of the Franchise Fee and PEG Fee payments signed by an authorized representative of Grantee in form and substance substantially equivalent to Exhibit H attached hereto. This report shall separately indicate Grantee's Gross Revenues within the City including, but not limited to such items as listed in the definition of "Gross Revenues" at Section 901.210 of this Franchise. Nothing in the Franchise Fee payment worksheet form set forth in Exhibit H shall be construed to modify the definition of "Gross Revenues" set forth in Section 901.210 of this Franchise.

913.020 MONITORING AND COMPLIANCE REPORTS

Upon request, but no more than once a year, Grantee shall provide a written report of any and all FCC technical performance tests for the residential network required in FCC rules and regulations as now or hereinafter constituted.

913.030 MONTHLY SUBSCRIBER DATA REPORT

Every other month starting in January, Grantee shall provide the City with a Subscriber data report consistent with the format set forth in Exhibit I attached hereto, separately delineating, for each month within that two-month period, the responsive information. In the event technical or programming changes require changes to the format of the report, the City and Grantee shall work in good faith to make such changes without the need to amend this Franchise. The Commission reserves the right to request and receive from Grantee greater detail regarding Subscriber data provided in the form attached as Exhibit I in order to better understand differences in or trends regarding that data or in Franchise Fee report data.

913.040 OTHER REPORTS

Upon request of the City and in no event later than thirty (30) Days from the date of receipt of such request, Grantee shall, without charge, prepare and furnish to the City, at the times and in the form prescribed, such additional reports with respect to its operation, affairs, transactions, or property, as may be reasonably necessary to ensure compliance with the terms of this Franchise. Grantee and City may in good faith agree upon taking into consideration Grantee's need for the continuing confidentiality as prescribed herein. Neither City nor Grantee shall unreasonably demand or withhold information requested pursuant with the terms of this Franchise.

913.050 CONFIDENTIAL AND TRADE SECRET INFORMATION

Grantee acknowledges that information submitted by Grantee to the City may be subject to the Minnesota Government Data Practices Act ("MGDPA") pursuant to Minn. Stat. Chapter 13. The Commission shall follow all Applicable Laws and procedures for protecting any confidential and trade secret information of Grantee that may be provided to Commission. Grantee acknowledges that the Commission shall at all times comply with the Minnesota Data Practices Act ("MDPA")

related to the release of information and nothing herein shall be read to modify the Commission's obligations under the MDPA.

913.060 COMMUNICATIONS WITH REGULATORY AGENCIES

(a) Upon written request (unless service of copies is otherwise mandated by Applicable Law) Grantee shall submit to City copies or online links to copies of any pleading, applications, notifications, communications and documents of any kind, submitted by Grantee or its Affiliates to any federal, state or local courts, regulatory agencies and other government bodies if such documents directly relate to the operations of Grantee's Cable System within the Franchise Area. Grantee shall submit such documents to City no later than thirty (30) Days after receipt of City's request. Grantee and City shall comply with all Applicable Law governing confidential, privileged or proprietary rights to such documents.

(b) In addition, Grantee and its Affiliates, City and Commission shall, within ten (10) Days of any communication to or from any judicial or regulatory agency regarding any alleged or actual violation of this Franchise, City regulation or other requirement relating to the System, use its best efforts to provide the other party a copy of the communication, whether or not specifically requested to do so.