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Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, the transfer of control of the open video system franchisee Starpower Communications, L.L.C. and its District of Columbia cable television system from Radiate Holdings, L.P to Stonepeak Associates IV, LLC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Approval of the Transfer of Control of Open Video System Franchisee Starpower Communications, L.L.C. and Its Open Video System from Radiate Holdings, L.P. to Stonepeak Associates IV, LLC Emergency Act of 2021”.

Sec. 2 (a). The Council approves the transfer of control of Starpower Communications, L.L.C. (the “Franchisee”) and its open video system serving the District (the “Transfer”) from Radiate Holdings, L.P. (“Radiate”) to Stonepeak Associates IV, LL (“Stonepeak”), in accordance with section 501 of the Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1255.01) and the franchise agreement between the Franchisee and the District dated March 14, 2019 (the “Franchise Agreement”).

(b) The Council’s approval of the Transfer is subject to the following conditions:

1 (1) That within 3 business days after the effective date of this act, the
2 District and Franchisee, RCN Telecom Services, L.L.C., Radiate Holdings, GP, LLC
3 (“RHGP”) on behalf of itself and Radiate, and Stonepeak (collectively the “Companies”)
4 enter in a transfer agreement effective on or before June 30, 2021, and substantially in the
5 form of the document titled Transfer Agreement that was submitted by the Mayor to the
6 Council on April 1, 2021 (“Transfer Agreement”); and

7 (2) That the transfer conform to all terms and conditions described in the
8 Transfer Agreement, and in the transfer petition filed by Starpower with the Office of
9 Cable Television, Film, Music, and Entertainment on December 17, 2020, as
10 supplemented by responses to all subsequent information requests.

11 (c) If a condition specified in subsection (b) of this section is not satisfied, then
12 the Council’s approval of the Transfer shall become void.

13 (d) The Mayor may execute the Transfer Agreement on behalf of the District.

14 Sec. 3. Fiscal impact statement.

15 The Council adopts the fiscal impact statement of the Chief Financial Officer as
16 the fiscal impact statement required by section 4a of the General Legislative Procedures
17 Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-
18 301.47a).

19 Sec. 4. Effective date.

20 This act shall take effect following approval by the Mayor (or in the event of veto
21 by the Mayor, action by the Council to override that veto), and shall remain in effect for
22 no longer than 90 days, as provided for emergency acts of the Council of the District of
23 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved

1 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).