

**PLACER COUNTY  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
MEMORANDUM**

**TO:** Honorable Board of Supervisors  
**FROM:** Clark L. Moots, Director of Administrative Services  
**DATE:** December 5, 2006  
**SUBJECT:** Recommendation to Approve a Resolution Consenting to the Assignment of Boulder Ridge Cable TV, dba Starstream Communications, Non-exclusive Cable Television Franchise to Wave Division VI, LLC's, dba Wave Broadband

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**ACTION REQUESTED**

Approve a Resolution authorizing and consenting to the assignment of a non-exclusive cable television franchise of Boulder Ridge Cable TV, a California corporation, dba Starstream Communications (Starstream) to Wave Division VI, LLC's, dba Wave Broadband.

**BACKGROUND**

Starstream has a non-exclusive cable television franchise to serve the unincorporated areas surrounding the City of Auburn and Colfax including the communities of North Auburn and Christian Valley. On July 27, 2004 your Board approved Resolution No.2004-190 to transfer the assignment of a 15-year cable television franchise from Charter Communications to Starstream. The current franchise expires on February 17, 2011.

Starstream has subsequently advised the County that they have entered into an Asset Purchase Agreement providing for the acquisition by Wave Division VI of Starstream's cable television systems serving the unincorporated areas surrounding the City of Auburn and Colfax including the communities of North Auburn and Christian Valley.

Wave Division VI has been in business since 2002 and through its operating subsidiaries, currently serves approximately 155,000 cable TV, high-speed Internet and telephone customers in western Washington, southern California and the East Bay area. Wave Division VI agrees to honor all terms and agreements of the existing franchise.

Starstream has submitted the required FCC Form 394 for review by County staff. Under federal legislation the County, as franchising authority, must review the application and determine if the applicant meets the legal, technical and financial qualifications to own and operate a cable television system. County staff has reviewed the submitted materials and recommends approval of the request for assignment.

Section 13.40.500 (D)(1) of the Placer County Code specifies that any assignment of a cable television franchise between entities such as Starstream and Wave Division VI must be approved by your Board and must be expressed by Resolution.

**FISCAL IMPACT**

There is no fiscal impact for this action. Wave Division VI will collect from its subscribers and remit to the County franchise fees which amount to 5% of its billable operating revenue.

**RECOMMENDATION**

Wave Division VI agrees to all terms and conditions of the existing franchise agreement. Therefore, it is RECOMMENDED that your Board:

1. Approve a resolution authorizing and consenting to the assignment of Boulder Ridge Cable TV, dba Starstream Communications, cable television franchise to, Wave Division VI, LLC's, dba Wave Broadband to serve the unincorporated areas surrounding the City of Auburn and Colfax including the communities of North Auburn and Christian Valley.

Respectfully submitted,



Clark L. Moots  
Director of Administrative Services

Cc: Ron Baker, Senior Administrative Service Officer  
Jerry Gamez, IT Division Manager  
Dean Henderson, Starstream Communications  
Steven B. Weed, Wave Division VI

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF PLACER, STATE OF CALIFORNIA**

**In the matter of:**

**Resol. No:** \_\_\_\_\_

**A RESOLUTION TO APPROVE THE  
ASSIGNMENT OF A CABLE TELEVISION  
FRANCHISE OF BOULDER RIDGE  
CABLE TV, dba STARSTREAM  
COMMUNICATIONS, TO WAVE DIVISION VI,  
LLC's, dba WAVE BROADBAND**

**Ord. No:** \_\_\_\_\_

**First Reading:** \_\_\_\_\_

**The following Resolution was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_, 2006,  
by the following vote on roll call:**

**Ayes:**

**Noes:**

**Absent:**

**Signed and approved by me after its passage.**

\_\_\_\_\_  
**Chair, Board of Supervisors**

**Attest:  
Clerk of said Board**

\_\_\_\_\_  
**BE IT HEREBY RESOLVED BY THE Board of Supervisors, County of Placer, State of  
California, that this Board approves the assignment of a cable television franchise of  
Boulder Ridge Cable TV, dba Starstream Communications ("Starstream") Wave Division  
VI, LLC's, dba Wave Broadband. The cable television franchise shall be subject to the  
following terms and conditions:**

**a. The term of the franchise shall be coincident with the term of the existing franchise.**

**b. The service area of the franchise shall be the unincorporated areas surrounding the City of Auburn and Colfax including the communities of North Auburn and Christian Valley.**

**c. The assignment of the franchise is granted on the express condition that Wave Broadband agrees and consents to be bound by all rules and regulations contained in Chapter 13 of the Placer County Code as such rules and regulations may be adopted and/or amended from time-to-time throughout the effective date of the franchise.**

**d. The assignment shall contingent upon the finalization of the sale between Starstream and Wave Broadband.**

**BE IT FURTHER RESOLVED that the Director of Administrative Services, or his or her designee, is authorized to execute such documents and take such other actions as are necessary and appropriate to effectuate the franchise assignment.**