

COUNTY LOCAL LAWS

(B) BASIC QUALIFICATIONS: THE BASIC QUALIFICATIONS REQUIRED OF EACH APPLICANT ARE THAT IT BE LEGALLY, TECHNICALLY AND FINANCIALLY QUALIFIED TO CONSTRUCT AND OPERATE A HIGH QUALITY CATV SYSTEM IN HARFORD COUNTY. THE GRANTING AUTHORITY SHALL NOT ATTEMPT TO COMPARE THE APPLICATIONS IN THESE AREAS; AN APPLICANT IS EITHER LEGALLY, TECHNICALLY AND FINANCIALLY QUALIFIED, OR IT IS NOT. IF THE GRANTING AUTHORITY DETERMINES THAT ANY APPLICANT DOES NOT POSSESS ANY OR ALL OF THE BASIC QUALIFICATIONS, IT RESERVES THE RIGHT TO DISMISS THE APPLICATION WITHOUT WITHOUT CONSIDERATION OF ITS PROGRAMMING AND OTHER ATTRIBUTES. IN SUCH EVENT, THE ASSUMPTION IS THAT IF AN APPLICANT IS NOT LEGALLY, TECHNICALLY AND FINANCIALLY QUALIFIED, IT IS INCAPABLE OF PROVIDING THE PROGRAMMING AND SERVICES THAT IT PROPOSES.

DEFINITIONS OF THE BASIC QUALIFICATIONS FOLLOW:

(1) LEGAL QUALIFICATIONS: TO BE LEGALLY QUALIFIED, AN APPLICANT MUST BE A RECOGNIZED LEGAL ENTITY. ITS MEMBERS, PARTNERS, STOCKHOLDERS, OFFICERS, DIRECTORS, ASSOCIATES, SUBSIDIARIES, PARENTS, MAY NOT BE FELONS, CITIZENS OF FOREIGN COUNTRIES, OR POSSESS ANY BUSINESS INTERESTS THAT ARE IN VIOLATION OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED; THE FCC RULES AND REGULATIONS, THE LAWS OF THE STATE OF MARYLAND, THE CODE OF HARFORD COUNTY, AND/ OR ALL OTHER APPLICABLE LAW.

(2) TECHNICAL QUALIFICATIONS: ALL APPLICANTS MUST POSSESS SUFFICIENT CATV EXPERTISE, IN THE GRANTING AUTHORITY'S JUDGMENT, TO ENABLE THE APPLICANT TO SUCCESSFULLY FULFILL ITS PROPOSAL, AND ALL APPLICANTS MUST SET FORTH A TECHNICAL PROPOSAL THAT, IN THE GRANTING AUTHORITY'S JUDGMENT WILL FUNCTION EFFECTIVELY.

(3) FINANCIAL QUALIFICATIONS: ALL APPLICANTS MUST DEMONSTRATE, TO THE GRANTING AUTHORITY'S SATISFACTION, THAT THEY HAVE THE CAPABILITY OF ACQUIRING SUFFICIENT FUNDS TO CONSTRUCT AND OPERATE THE CATV SYSTEM ON AN ECONOMICALLY VIABLE BASIS. WHILE THE GRANTING AUTHORITY DOES NOT INTEND TO GIVE A COMPARATIVE PREFERENCE TO THE APPLICANT WITH THE MOST MONEY, THE GRANTING AUTHORITY REQUIRES THAT EACH APPLICANT HAVE SUFFICIENT FUNDS TO EFFECTUATE ITS PROPOSALS.

(C) COMPARATIVE QUALIFICATIONS: ONCE AN APPLICANT HAS DEMONSTRATED THAT IT POSSESSES THE REQUISITE LEGAL, TECHNICAL AND FINANCIAL QUALIFICATIONS, IT SHALL BE CONSIDERED, BY THE GRANTING AUTHORITY, UNDER ITS COMPARATIVE CRITERIA TO DETERMINE WHICH OF THE APPLICANTS IS BEST SUITED TO RECEIVE THE CATV FRANCHISE. THE APPLICANT TO BE REFERRED IS ONE THAT OFFERS THE STRONGEST COMBINED SHOWING IN THE FOLLOWING CRITERIA: