

9.2 Initial Capital Grants

Grantee shall provide initial capital grants for Access or I-Net purposes to the City as follows:

\$825,000	On or before January 31, 2000
\$1,200,000	On or before January 31, 2001
\$850,000	On or before January 31, 2002

These grants are to be used by the City, in its sole discretion, for Access equipment (including, but not limited to, studio and portable production equipment, editing equipment and program playback equipment), for Access-related facilities renovation or construction, or for City I-Net purposes in accordance with Section 10 of this Franchise.

Grantee may recover each of these capital grants over a one (1) year period or more at its discretion in accordance with applicable federal rate regulations.

9.3 Capital Contribution

Beginning with June 2003 billing cycles, Grantee shall collect and provide to the City up to \$.63 per month per Residential Subscriber for Access or I-Net capital (the "Capital Contribution"). Beginning with June 2004 billing cycles, Grantee shall collect and provide to the City up to \$.87 per month per Residential Subscriber for the Capital Contribution. Beginning with June 2005 billing cycles, Grantee shall collect and provide up to \$1.00 per month per Residential Subscriber for the Capital Contribution. Grantee shall not be responsible for collecting or paying the Capital Contribution with respect to gratis accounts. The City shall give Grantee at least ninety (90) days advance written notice of Grantee's obligation to begin payment of the Capital Contribution, including the monthly amount to be collected. Each payment shall be due and payable no later than thirty (30) days following the end of the quarter from when the Capital Contribution takes effect. The City shall have discretion to allocate the Capital Contribution in accordance with applicable law. The City may adjust the amount of the Capital Contribution on an annual basis (up to the maximum amount specified in this subsection), provided that Grantee is given ninety (90) days advance written notice.

9.4 Management and Control of Access Channels

The City shall have sole and exclusive responsibility for identifying the Designated Access Providers and allocating the Access resources under this Section. The City may authorize Designated Access Providers to control and manage the use of any and all Access facilities provided by Grantee under this Franchise, including, without limitation, the operation of Access Channels. To the extent of such designation by the City, the Designated Access Provider shall have sole and exclusive responsibility for operating and managing such Access facilities. The City or its designee may formulate rules for the operation of the Access Channels, consistent with this Franchise. Grantee shall cooperate with the City and Designated Access Providers in the use of the Cable System and Access facilities for the provision of Access. Nothing herein shall prohibit the City from authorizing itself to be a Designated Access Provider. Nothing herein shall prohibit the City from assigning several Designated Access Providers to share a single Access Channel.