

Black Rock Cable

2544 Mt. Baker Hwy.
Bellingham, WA 98226
360-734-7930

27 Oct 1999

Office of the Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Office of the Bureau Chief
Cable Services Bureau
445 12th St. SW
Washington, DC 20554

OPEN VIDEO SYSTEM NOTICE OF INTENT COVER LETTER

Pursuant to FCC rules, 47 CFR 76.1503 (b) (1) we hereby submit this cover letter with the enclosed diskette and hard copy of the Open Video System Notice of Intent for Black Rock Cable.

Sincerely,

John J. Kehres,
Black Rock Cable, Inc.

Open Video System Notice of Intent

Attention:
Cable Services
Bureau

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20054**

In the Matter of)	
)	
Black Rock Cable)	
d/b/a Black Rock Cable, Inc.)	
)	File No. _____
)	
Notice of Intent to Establish)	
an Open Video System)	

**NOTICE OF INTENT
TO ESTABLISH AN OPEN VIDEO SYSTEM**

Black Rock Cable d/b/a Black Rock Cable, Inc. (Black Rock), pursuant to the Telecommunications Act of 1996 and Section 76.1503 (b) (1) of the Commission's Rules, hereby submits its Notice of Intent to establish an open video system (OVS). As required by Section 76.1503 (b) (1), Black Rock respectfully submits the following information:

NAME AND ADDRESS

The OVS operator is Black Rock Cable, Inc. The contact person for the operator, Mr. John J. Kehres, is located at 2544 Mt. Baker Hwy, Bellingham, Washington 98226. Mr. Kehres may be reached at (360) 734-7930. MAK1997100@AOL.COM

SERVICE AREA

Black Rock's projected service area in Washington State; Whatcom County and within Whatcom County the cities of Blaine, Ferndale, Lynden, Everson and Nooksack; Skagit County and within Skagit County the cities of Mount Vernon, Anacortes, Burlington and Sedro Woolley; Snohomish County and within Snohomish County the cities of Arlington, Mukilteo, Mill Creek, Woodway, Mountlake Terrace, Edmonds, Lynnwood, Bothell, Brier, Monroe, Everett, Marysville and Snohomish. Black Rock has requested but has not yet received open video system franchises from the abovementioned communities.

CHANNEL CAPACITY

Although Black Rock's Form 1275 indicated an anticipated 80 analog channels and 200Mhz of digital capacity and our initial concept is to construct a two-way hybrid fiber coax network, Black Rock's intent is to work with prospective Video Programming Providers ("VPP's"), to develop specific distribution architectures and bandwidths that will satisfy their needs. Based upon interest, Black Rock may opt to allocate all of the bandwidth to one or more unaffiliated VPP's. In any event, the selected solution will satisfy VPP's requests and comply with all OVS rules and regulations.

CARRIAGE APPLICATION

VPP's interested in carriage on Black Rock's open video system may obtain additional information about the system by completing the OVS Information Request Form (Attachment 1) and submitting it to:

John Kehres
2544 Mt. Baker Hwy.
Bellingham, WA 98226
(360) 734-7930

Pursuant to 47 C.F.R. § 76.1503 (b) (2) of the FCC's rules, within five business days of receipt of a request for information, Black Rock will provide the VPP with additional information regarding carriage on the open video system.

ENROLLMENT PERIOD

The enrollment period for VPP's seeking carriage on Black Rock's open video system will commence on November 1, 1999 and will conclude December 1, 1999.

ALLOCATION OF CAPACITY

For the purposes of bandwidth allocation, Black Rock will establish three classes of VPP's, 1) bundled service providers, 2) cable, data or telephony service providers and 3) other service providers. Initial qualification will require that the VPP's meet financial, legal and technical requirements. If the VPP meets those requirements, access to capacity will be based upon a bidding process if necessary.

CERTIFICATION AND NOTIFICATION REQUIREMENTS

Attached is a certification that Black Rock has complied with all relevant notification requirements under the FCC's open video system regulations concerning must-carry and retransmission consent (47 C.F.R. §76.1506), including a list of all the local commercial and non-commercial television stations served (Attachment 2). Also attached is a certificate of service showing that Black Rock's Notice of Intent has been served on all local franchising authorities which are located within Black Rock's anticipated OVS service area (Attachment 3).

Respectfully submitted,

Black Rock Cable, Inc.

John J. Kehres
2544 Mt. Baker Hwy.
Bellingham, WA 98226
(360) 734-7930

Dated: October 27, 1999

Attachment 1

BLACK ROCK CABLE, INC.

**OPEN VIDEO SYSTEM
INFORMATION REQUEST FORM**

Section I: Video Programming Provider Information

Name of Company: _____

Name of Contact: _____

Address: _____

Telephone: _____

Facsimile: _____

Section II: Carriage Information

VPP TYPE	BANDWIDTH REQUIREMENTS	
	Downstream	Upstream
Bundled Services Provider	_____	_____
Cable, Telephony or Data Provider (circle one)	_____	_____
Other Service Provider	_____	_____

Section III: Certification and Non-Disclosure Statement

The undersigned potential video programming provider ("VPP") represents to Black Rock Cable d/b/a Black Rock Cable, Inc. ("Black Rock Cable") the open video system operator, that it has no formal or informal affiliation (as defined by 47 C.F.R. § 76.1500(g) of the FCC's rules) or agreement with any other VPP requesting capacity or with any cable operator providing cable television services within Black Rock's open video system service area, and that the capacity requested will only be used for the commercial operation of a cable, data and/or telephony service. The VPP and its affiliates agree not to disclose to any other party the information provided by Black Rock Cable in response to this request, except for information that is in the public domain and except as provided in 47 C.F.R. § 76.1513(j) of the FCC's rules, and that they will not use the information for any purpose whatsoever other than making an informed decision as to whether to enroll in Black Rock's open video system and the subsequent activation of such enrollment, if any.

Signature

Name

Title

Date

Attachment 2

CERTIFICATION

I, John Kehres, hereby certify that on this 22nd day of October, 1999, I caused must-carry/retransmission consent election notifications to be sent by first class mail to all General Managers of the commercial and noncommercial television stations, listed below, operating within Black Rock Cable, Inc.'s open video system television market.

KSTW
2033 6th
Seattle, WA 98121-2506

KVOS
1151 Ellis St.
Bellingham, WA 98225-5203

KWPX
701 5th Suite 4370
Seattle, WA 98104-7016

KBTC
1101 S. Yakima Ave.
Tacoma, WA 98405

KCPQ
820 A St. Suite 560
Tacoma, WA 98402-5212

KING
333 Dexter N
Seattle, WA 98109-5107

KIRO
2807 3rd Ave.
Seattle, WA 98121-1242

KOMO
100 Fourth Ave. N
Seattle, WA 98109-4932

KONG
333 Dexter N
Seattle, WA 98109-5107

KBCB
4164 Meridian St.
Bellingham, WA 98226

KHCV
18024 72nd Ave. S
Kent, WA 98032

John Kehres, President
Black Rock Cable, Inc.

KSTW
2320 S. 19th
Tacoma, WA 98405-2946

KTBW
1909 S 341st Pl.
Federal Way, WA 98003-6860

KCTS
401 Mercer St.
Seattle, WA 98109-4640

KTZZ
945 Dexter N
Seattle, WA 98109-3515

Attachment 3

CERTIFICATE OF SERVICE

I, John Kehres, hereby certify that on this 22nd day of October, 1999, a copy of the foregoing Black Rock Cable, Inc. Notice of Intent to Operate an Open Video System in Bellingham, Washington was served via First Class US Mail on the parties listed below.

John Kehres, President
Black Rock Cable, Inc.

Ms. Gena Tolle
Mayor
City of Everson
P.O. Box 315
Everson, WA 98247

Mr. James Ackerman
Mayor
City of Nooksack
P.O. Box 4265
Nooksack, WA 98276

Mr. Roland Signett
City Administrator
City of Ferndale
5694 2nd Ave.
Ferndale, WA 98248

Mr. Steve Jilk
City Administrator
City of Lynden
323 Front St.
Lynden, WA 98264

Mr. Anthony Mortillaro
City Manager
City of Blaine
344 H St.
Blaine, WA 98230

Ms. Margaret Fleck
City Planner
City of Burlington
900 E. Fairhaven Ave.
Burlington, WA 98233

Mr. Skye Richendrfer
Mayor
City of Mount Vernon
320 W. Broadway
Mount Vernon, WA 98273

Mr. Dave Fleming
Risk Manager
County of Skagit
700 S. 2nd Rm 202
Mount Vernon, WA 98273

Mr. Steve Mansfield
City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

Mr. Pat Hayden
City Attorney
City of Sedro Woolley
720 Murdock St.
Sedro Wooley, WA 98284

Ms. Gerri Delisle
Right-of-Way Use Specialist
County of Snohomish
3000 Rockefeller Ave. #M206
Everett, WA 98201

Mr. Richard Leahy
City Administrator
City of Mukilteo
4480 Chennault Beach Rd.
Mukilteo, WA 98275

Ms. Debbie Tarry
Finance Director
City of Mill Creek
15728 Mill Creek Blvd.
Mill Creek, WA 98012

Ms. Lorraine Taylor
City Clerk
City of Woodway
113th Pl. W
Edmonds, WA 98020

Mr. Marv Seabrandts
Dir. Community Development
City of Mountlake Terrace
23204 58th Ave. W
Mountlake Terrace, WA 98043

Mr. Dick Russell
Public Works Superintendent
City of Brier
228th St. SW
Lynnwood, WA 98036

Mr. Manny Ocampo
Asst. City Manager
City of Bothell
18305 101st Ave. NE
Bothell, WA 98011

Mr. Bill Burton
Accounting Manager
City of Lynnwood
19100 44th Ave. W
Lynnwood, WA 98036

Mr. Paul Mar
Director Community Services
City of Edmonds
121 5th Ave. N
Edmonds, WA 98020

Mr. Ed Davis
Director of Planning
City of Arlington
238 N. Olympic Ave.
Arlington, WA 98223

Mr. Bill McDonald
City Manager
City of Snohomish
116 Union Ave.
Snohomish, WA 98290

Ms. Mary Swenson
City Clerk
City of Marysville
4822 Grove St.
Marysville, WA 98270

Ms. Trudy Wright
Tax Compliance Specialist
City of Everett
2930 Wetmore Ave. #10A
Everett, WA 98201

Mr. Bill Verwolf
City Administrator
City of Monroe
806 W. Main St.
Monroe, WA 98272

Mr. Pete Kremen
Whatcom County Executive
County of Whatcom
311 Grand Ave.
Bellingham, WA 98225