

NEW CINGULAR WIRELESS PCS, LLC (AT&T), Telecommunications Franchise Agreement

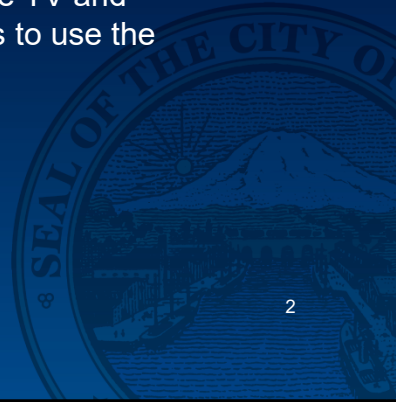
City of Tacoma
Media & Communications Office

**Government Performance
and Finance Committee
July 17, 2018**



Primer – Franchising 101

- Franchise Agreements are the Regulatory Tool utilized by the City to allow Cable TV and Telecommunications Companies to use the Public Right of Way



Primer – Franchising 101

- Franchise Agreements are negotiated but they contain definitions, references to appropriate Municipal Code (Title 9, 10, 16), Insurance Provisions, Bonds, Letter of Credit, Term, Regulatory Provisions, Reporting Requirements, and Compensation & Financial Provisions

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Primer – Franchising 101

- The City has Franchise Agreements with:
 - Cable TV Providers
 - Telecommunications Providers
 - Small Cell/Wireless Providers

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History

- Due to State law (RCW 3521.860) the city is not allowed to make Franchise Fees a requirement of this Telecommunications Franchise agreement.
- The City is allowed under State Law to recover “Actual Costs” only.
- Pole attachment agreements are required to attach devices to Public Works and TPU Poles. The Fee structure is in place.

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Process

- Completed Application is on file
- Financials have been reviewed
- References contacted
- On-line research completed

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This Ordinance

- Allows the provider to operate within the City Right of Way for 10 years
- Protects and Indemnifies the City
- Requires the necessary bonds, letter of credit and insurance required by Title 10 and Title 16B of the Tacoma Municipal Code

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Next Steps

- City Council Consideration –
First Reading – July 24, 2018
Final Reading – August 14, 2018
- Publication – August 17, 2018
- Effective Date – September 17, 2018

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Upon Council Approval

- NEW CINGULAR WIRELESS PCS, LLC (AT&T) will work with TPU and also with Public Works to come to terms on Pole Attachment Agreements
- NEW CINGULAR WIRELESS PCS, LLC (AT&T) will then, per City Code, submit plans for review, apply for all necessary permits and gain approval prior to construction

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Recommendation

- Staff recommends approval of the NEW CINGULAR WIRELESS PCS, LLC (AT&T) Telecommunications Franchise Agreement with the City of Tacoma and further requests that the Government Performance and Finance Committee forward this item to the full City Council for consideration and adoption.

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WA – CLEC LLC (Crown Castle),
Telecommunications Franchise
Agreement

City of Tacoma
Media & Communications Office

**Government Performance
and Finance Committee
July 17, 2014**

