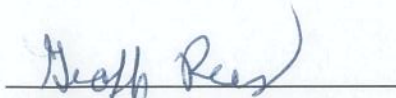




**MEMORANDUM**

TO: Urban County Council

FROM:   
Geoff Reed, Commissioner

DATE: 4/12/2016

SUBJECT: Differences between previous Telecommunications Franchise and the new Franchise

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A non-exclusive long term telecommunications franchise has been drafted with considerable input from appropriate government divisions, council representation, and expert legal counsel. Please find below the changes from the previous short term telecommunications franchise:

- The ability to utilize the franchise to install non-cable related fiber regardless of whether the franchisee technically qualifies as a telecommunications provider.
- Language that addresses franchise fees in the event that the current exemption statute ends up being overturned.
- Requirements for telecommunications companies in the right of way to tag or mark their facilities, in order to more efficiently identify ownership of damaged poles or facilities. Annually updated maps of facilities are also required.
- Language that grants LFUCG ownership of abandoned facilities in the government's streets.
- Increase in penalties for failure to complete or remove any construction project by the ending term, failure to provide data and reports, and failure to pay a permit fee or franchise fee.
- Increase in penalties for noncompliance to \$500 per day.
- Addition of definitions for clarity.
- Addition of an application requirement.
- Changes in applicable federal or state law or regulation.

If you have any questions regarding this franchise, please contact Roger Daman, Scott Shapiro, or for legal questions, Andrea Brown.

