

COUNCIL COMMUNICATION

From: The City Manager

Subject: Telecommunications Permit with AT&T

Manager's Recommendation:

I recommend approval of the Right-of-Way Telecommunications Permit with AT&T Michigan and authorization for the City Manager to execute it and the related documents. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Michigan Bell Telephone Company, D/B/A AT&T Michigan, has applied for a Right-of-Way Telecommunications Permit pursuant to the Metropolitan Extension Telecommunications Right of Way Oversight Act ("METRO Act"); Act No. 48 of the Public Acts of 2002, as amended. The METRO Act determines all aspects of the permit and creates the METRO Authority that collects all fees paid by telecommunications providers and makes payments to municipalities.

AT&T is not a new provider and had its lines in place before the METRO Act was implemented. AT&T has already been paying, and the City has been receiving, for many years the fees and revenues pursuant to the schedule set forth by the METRO Act. Now, however, this incumbent provider is required to apply for a METRO Act permit and the City is required to approve this permit if AT&T meets the appropriate criteria, which it does.

The grant of this permit will not change the relationship between the parties, the requirements for constructing or maintaining lines in the public right-of-way or the payments of fees for their use.

Council Action:

Council _____ moved that the recommendation from the City Manager be approved.