

Approval of Ordinance No. 693

Authorizing a Non-exclusive Franchise to TW
Telecom to Operate a Telecommunications
System Within City Rights-of-Way



TW Telecom of Washington Franchise

- Nonexclusive Telecom and Data Services using existing Aurora trunk line
 - AboveNet 2011 franchise, assets sold to Zayo Group, LLC.
 - Nether owner operated retail service in shoreline.
- System consists of underground fiber optic cable, switches and conduit
- All new facilities under ground
- May lease existing above ground cable to expand system , but those lines subject to underground conversion where there is a conflicts with a Capital project declared subject to undergrounding under SMC 13.20
- Underground facilities must be relocated if conflicting with Capital Project.
- Term – 5 yr plus one year extension administratively approved

TW Telecom Route Map



Change in Ownership

- Level 3 has parallel trunk line, announced acquisition of TW Telecom, Inc., parent corporation of TW Telecom of Washington LLC.
 - Expected to continue to operate as separate subsidiary after approval.
 - May expand beyond current trunk line
 - Level 3 trunk may be encumbered with other users
 - Industry overbuilds
- If transfer to Level 3 approved, change of name to avoid confusion likely.
 - Found current franchise could be clarified, added this as one of circumstance Council need not approve.
 - Section 9 change included in proposed Ordinance.

TW Telecom Franchise – Section 9

Section 9. Transfer of Ownership.

A. ...Approval shall not be required for any transfer from TWTC to another person or entity controlling, controlled by, or under common control with TWTC or if TWTC adopts a new company name without a change in control. TWTC may license fibers to other users operating a telephone business or service providers without the consent of the City provided that TWTC remains solely responsible for the terms and conditions outlined in this Franchise Agreement ...

