

Resolution Relating to

RESOLUTION

Sponsor(s) Councilors Keogh,
Davis, Decelles: Bd. of Finance

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

AUTHORIZATION FOR BURLINGTON
TELECOM TO SEEK RELIEF FROM CONDITION 60
OF ITS CERTIFICATE OF PUBLIC GOOD

CITY OF BURLINGTON

In the year Two Thousand Nine.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, by Resolution dated August 11, 2008, the City Council authorized Burlington Telecom ("BT") to proceed before the Vermont Public Service Board ("PSB") to amend Condition 17 of its CPG to reflect the City Council's policy of funding the remaining build out of the system as revenues allow; and

WHEREAS, during the pendency of the PSB proceeding it became apparent that the City also needs temporary relief from Condition 60 of its CPG, which requires BT to reimburse the City's pooled cash management system within two months of the City's expenditure of such funds on behalf of BT; and

WHEREAS, BT's state-of-the-art, fiber-to-the-home telecommunications system has the capacity to serve approximately 100,000 customers, a capacity which far exceeds the number of customers in Burlington; and

WHEREAS, BT needs to expand its services outside the corporate boundaries of the City of Burlington to produce revenues that will allow it to complete the build out of the remaining sections within the City;

NOW, THEREFORE, BE IT RESOLVED that Burlington Telecom be and hereby is authorized to amend its petition presently pending before the PSB to also seek temporary relief from Condition 60; and

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BE IT FURTHER RESOLVED that the City Council confirms its authorization for BT to negotiate with other towns as provided by Resolution dated Oct. 22, 2007 and BT is instructed to seek out opportunities to expand its services outside the City of Burlington, with the understanding that further City Council approval is required prior to pursuing any opportunities outside the City.

231052-67 WFE Resolution re: Authorization to Amend Condition 60 of its CPG

lb/kas/c: Resolutions 2009/Telecom -- Relief from Condition 60 of its Certificate of Public Good from P.S.B.
9/30/09