

Introduced by Commissioner Michael G. Murphy

AMENDING CITY OF WARRENTON ORDINANCE No. 821-A, GRANTING RIGHTS AND PRIVILEGES FOR CONDUCTING GENERAL COMMUNICATION BUSINESS IN CITY OF WARRENTON, OREGON, TO PACIFC NORTHWEST BELL TELEPHONE COMPANY, AS SPECIFIED BELOW

WHEREAS, certain changes are necessary to update and amend Ordinance No. 821-A; NOW, THEREFORE, the City Commission of the City of Warrenton, Oregon, ordains as follows:

Section 6. Said section of Ordinance No. 821-A is hereby amended to read:

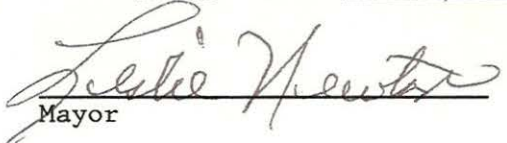
Section 6. In consideration of the rights, privileges and franchise hereby granted, said Grantee, Pacific Northwest Bell Telephone Company, its successors and assigns, shall pay to the City of Warrenton from and after the effective date of the amendment to this franchise, and until **30 June 1990**, annually, three per cent (**3%**) **per annum** of its gross local service revenues derived from services other than competitive services within the corporate limits of the City of Warrenton, less net uncollectibles and revenue paid direct to the Grantee by the United States of America or any of its agencies. Services that are competitive for purposes of this franchise include Grantee's Centrex and Centrex-type services such as Corecom; Private Line and Private Line-type services such as Digicom; Radio-type services such as Mobile Communications and Bellboy; the provision of inside wiring and any PNB service that is now or hereafter the subject of de-tariffing, regulatory forbearance or deregulation by the Oregon Public Utility Commission. Revenues derived from competitive services shall be excluded from the franchise fee base under this franchise, until **30 June 1990**. Effective **1 July 1990**, and until the franchise expiration, said Grantee shall pay to the City of Warrenton, **annually**, seven per cent (**7%**) of its gross revenues derived from exchange access services, as defined in ORS 401.710, within the corporate limits of the City of Warrenton, less net uncollectibles and revenue paid direct to the Grantee by the United States of America or any of its agencies. The reasonable value of any utility service or the use of any Grantee facilities used or reserved for use by the City without Grantee's prescribed charges shall be credited toward any payment due the City under this provision. Payment of this franchise fee shall be made on or before the **15th of March** of each and every year for the calendar year preceding. For the year **1990**, payment of said three per cent (**3%**) shall be made for only the period **1 January 1990 to 30 June 1990**, and payment of said seven per cent (**7%**) shall be made for the period **1 July 1990 to 31 December 1990**. Such payments made by the Grantee will be accepted by the City of Warrenton from the Grantee also in payment of any license, privilege or occupation tax or fee for revenue or regulation, or any permit or inspection fees or similar charges for street openings, installations, construction or for any other purpose now or hereafter to be imposed by the City of Warrenton upon the Grantee during the term of this franchise.

First reading: 4-18-90

Second reading: 5- 2-90

PASSED by the City Commission of the City of Warrenton, Oregon, this 2nd day of May 1990.

APPROVED by the Mayor of the City of Warrenton, this 2nd day of May 1990.


Mayor

ATTEST:


City Manager/Auditor