



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
Rochester Hills, MI 48309
248.656.4630
www.rochesterhills.org**

Legislative File No: 2009-0300

TO: Mayor and City Council Members
FROM: Jane Leslie, Clerk
DATE: 7/09/09
SUBJECT: Extension of METRO Act Permit Telecommunications AT&T

REQUEST:

To approve a two year extension of the permit approved for telecommunications right-of-way on August 4, 2004 for Michigan Bell Telephone Company formerly d/b/a SBC Michigan, now d/b/a AT&T Michigan ("AT&T").

BACKGROUND:

The original request for this permit was approved by City Council on August 4, 2004 to Michigan Bell Telephone company formerly d/b/a SBC Michigan, now d/b/a AT&T Michigan ("AT&T"). The permit expires on August 9, 2009 and an extension is being requested for a term to end on August 30, 2011. Included with the request is a copy of the information provided by MPSC. City Attorney, John Staran has advised this is a standard application being made across the state for permit extensions that meets PA 48 of 2002 (METRO Act) provisions.

RECOMMENDATION:

That the Rochester Hills City Council hereby approves the extension of the existing METRO Act Permit issued by the City of Rochester Hills to Michigan Bell Telephone Company formerly d/b/a SBC Michigan, now d/b/a AT&T Michigan ("AT&T") which expires on August 9, 2009. The extension is for a term to end on August 30, 2011.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

AT&T Michigan 2 Year Permit Extension

AT&T Michigan is proposing to extend all METRO permits with Municipalities by a term of two years. Municipalities will be contacted in writing by AT&T Michigan. Attached is AT&T Michigan's proposed letter. For your convenience, below is some relevant information regarding this extension, which may answer some questions you may have.

1. Is AT&T Michigan allowed to extend the METRO permits with the Municipalities?

Yes, pursuant to section 7.1.1 of the Unilateral Permit, AT&T Michigan may file an application to extend the unilateral permit for a period of "[five years or less] from the Date of Issuance"¹.

2. How long does the Municipality have to act on it?

45 days, PA 48 section 15(3).

3. Who should the Municipality notify of the approval or denial of the unilateral permit extension?

The municipalities should notify the Michigan Public Service Commission of permit extension approvals/denials. A letter indicating the details of the extension of the permit such as who the permit is with, in this case AT&T Michigan, and the date of application as well as the date of approval/denial should be included in the letter along with a contact person and phone number. The letter should be sent to the attention of:

Ms. Robin Ancona, Director
Telecommunications Division
Michigan Public Service Commission
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909

4. Will the application for an extension to the unilateral permit from AT&T Michigan accompany a \$500 fee?

Pursuant to section 6(4) of PA 48: "Except as otherwise provided by this act, a provider shall file an application for a permit and pay a 1-time \$500.00 application fee to each municipality whose boundaries include public rights-of-way for which access or use is sought by the provider."

If the municipality has an existing unilateral permit with AT&T Michigan, the one-time \$500 fee is not applicable for the application for an extension to the unilateral permit.

If the municipality does not have an existing unilateral permit with AT&T Michigan, the one-time \$500 fee is applicable and it should be accompanied by a complete unilateral permit with the application.

¹ METRO Act, Unilateral Form, Revised 12/06/02, Section 7.1.1



Judy K. Klimek
METRO Act Administrator
54 N. Mill Street, Box 30
Pontiac, MI 48342
(248) 456-0855

June 15, 2009

Ms. Jane Leslie, Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI. 48309

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Ms. Leslie,

This is a letter agreement which extends the existing METRO Act Permit issued by the City of Rochester Hills to Michigan Bell Telephone Company formerly d/b/a SBC Michigan, now d/b/a AT&T Michigan ("AT&T") which expires on August 9, 2009. The extension is for a term to end on August 30, 2011.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the above listed address. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at <http://www.michigan.gov/mpsc>. Please click on Telecommunications, Metro Act-Right of Way, and AT&T Michigan 2 Year Permit Extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Judy Klimek at 248.456.0855.

Agreed to by and on behalf of
City of Rochester Hills

Michigan Bell Telephone d/b/a

AT&T acknowledges receipt of
this Permit Extension granted by
the municipality.

By: _____
Its: _____
Date: _____

By: _____
Its: METRO Act Administrator
Date: _____



Rochester Hills

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Home Page:
www.rochesterhills.org

Master

File Number: 2009-0300

File ID: 2009-0300	Type: Permit	Status: Consent Agenda
Version: 1	Reference: 2009-0300	Controlling Body: City Council Regular Meeting
File Created Date : 07/21/2009		

File Name: Metro Act Permit Extension for AT&T

Final Action:

Title label: Request for Approval of a two-year extension of the METRO Act Permit for AT&T

Notes:

Sponsors:

Enactment Date:

Attachments: Agenda Summary.pdf ,2-Yr Permit Extension.pdf ,Agreement Letter.pdf

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	07/27/2009					

Text of Legislative File 2009-0300

Title

Request for Approval of a two-year extension of the METRO Act Permit for AT&T

Body

Resolved, that the Rochester Hills City Council hereby approves a two-year extension of the existing METRO Act Permit issued by the City of Rochester Hills to Michigan Bell Telephone Company formerly d/b/a SBC Michigan, now d/b/a/ AT&T Michigan ("AT&T") to expires on August 30, 2011.