

ORDINANCE NO. 352

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, EXTENDING ITS UTILITY FRANCHISES WITH PUGET SOUND ENERGY (FORMERLY WASHINGTON NATURAL GAS COMPANY) AND WITH AT&T BROADBAND AND INTERNET SERVICE (FORMERLY KNOWN AS TCI COMMUNICATIONS, INC; TCI OF WASHINGTON; AND CABLEVISION) THROUGH DECEMBER 31, 2002

WHEREAS, the City Council previously passed Ordinance No. 116, granting utility franchises for five years from the date of incorporation to Washington Natural Gas Company (now Puget Sound Energy), to TCI Communications, Inc. (currently AT&T Broadband and Internet Service), as well as other utility providers; and

WHEREAS, the City Council by Ordinance No. 287 extended the utility franchises for Puget Sound Energy and for AT&T Broadband and Internet Service until December 31, 2000; and by Ordinance No. 294 extended these franchises through June 30, 2001; and by Ordinance No. 316 extended the franchises through October 31, 2001; and by Ordinance No. 325 extended the franchises through February 28, 2002; by Ordinance No. 335 extended the franchises through May 31, 2002; and by Ordinance No. 341 extended the franchises through August 31, 2002; and

WHEREAS, Puget Sound Energy wishes to use wireless technology for its meter readings in University Place; and the Planning Commission requires additional time to make its recommendations to the City Council regarding UPMC 23.45 Personal Wireless Communications Facilities; and the City Council requires time to study the issue before a franchise can be finally negotiated; and

WHEREAS, additional time to complete franchise negotiations was requested by AT&T to accommodate completion of its merger, after which AT&T Broadband and Internet Service will be known as AT&T Comcast Corporation; and

WHEREAS, an extension through December 31, 2002, would accommodate the ongoing negotiations, NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

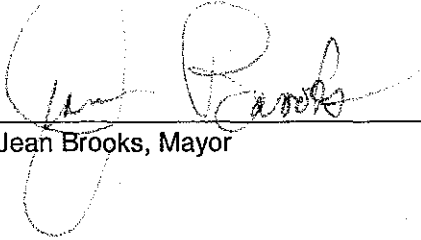
Section 1. Extending the Natural Gas Franchise with Puget Sound Energy. The existing City of University Place franchise with Puget Sound Energy (formerly known as Washington Natural Gas Company) is hereby extended to 11:59 p.m. December 31, 2002.

Section 2. Extending the Cable Franchise with AT&T Broadband and Internet Service. The existing City of University Place franchise with AT&T Broadband and Internet Service (formerly known as TCI Communications, Inc.; TCI of Washington; and Cablevision) is hereby extended to 11:59 p.m. December 31, 2002.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

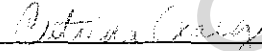
Section 4. Effective Date and Publication. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be in effect five (5) days after publication.

PASSED BY THE CITY COUNCIL THIS 26th DAY OF AUGUST, 2002.



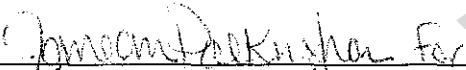
Jean Brooks, Mayor

ATTEST:



Catrina Craig, CMC
City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Publication Date: 8/28/02
Effective Date: 9/2/02

UNOFFICIAL DOCUMENT