

1 **Section 1.** There is hereby imposed and each and every local access telephone service carrier
2 (“Telephone Company”) shall pay to the City a Franchise Fee in an amount equal to 7.32% of the respective
3 Telephone Company's local exchange access line charges collected within the City's corporate limits during
4 the previous month.

5 **Section 2.** Payments to the City by the Telephone Company for the franchise fee shall be made monthly
6 by the 20th day of each month.

7 **Section 3.** On a monthly basis, by the twentieth (20th) day of each month, the auditor for each
8 Telephone Company shall certify to the City that Telephone Company’s access line revenues collected
9 during the previous month in Little Rock.

10 **Section 4.** The City recognizes and accepts the purposes and results of an Order of the Arkansas Public
11 Service Commission entered on February 7, 1980, in Docket U-30132 relating to the treatment by the
12 Telephone Company of all City special fees.

13 **Section 5.** It is acknowledged that Ordinance No. 11,345 (amended by Ordinance No. 14,981), which
14 set out the terms and conditions of the present privilege authority, is the controlling document over current
15 local access telephone service franchises. Ordinance No. 11,345 specifically provided that nothing
16 contained therein was to be construed as giving AT&T any exclusive privileges. Ordinance No. 14,981
17 amended Ordinance No. 11,345 to change the method of calculating the fee to that method presently
18 employed and to add a section detailing the City’s utility relocation policy to be complied with. That utility
19 relocation policy shall remain in effect under this Ordinance. The Telephone Company shall also be subject
20 to the utility relocation policy set forth in Little Rock, Ark., Rev. Code §§2-350 to 357 (1988).

21 **Section 6.** Nothing herein contained shall be construed as altering or amending any other rights or
22 obligations of the City or each Telephone Company as provided for in Ordinance No. 11,345 except the
23 language of Section 2 of Ordinance No. 11,345 pertaining to the method of calculating the Telephone
24 Company's annual Franchise Fee.

25 **Section 7.** Nothing in this ordinance shall prevent the City from collecting from Telephone Companies
26 previously due but unpaid Franchise Fees.

27 **Section 8. *Effective Date.*** Because an ordinance of this nature remains in effect until abandoned, and
28 in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set
29 forth in Section 1 of this ordinance shall be in full force and on January 1, 2017.

30 **PASSED: December 13, 2016**

31 **ATTEST:**

APPROVED:

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34 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

1 **APPROVED AS TO LEGAL FORM:**

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4 **Thomas M. Carpenter, City Attorney**

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