

SUPPLEMENTAL

COUNCIL AGENDA: 01-09-07
ITEM: 3.4



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Ed Shikada

SUBJECT: AT&T PROJECT LIGHTSPEED
UPDATE

DATE: 11-13-06

Approved

Date

11/13/06

REASON FOR SUPPLEMENTAL

This memorandum provides additional information for City Council consideration, regarding verification of local agencies that have currently agreed to allow AT&T to proceed with infrastructure construction prior to obtaining a state franchise.

ANALYSIS

At City staff request, AT&T provided a list of local agencies that have agreed to allow the company to proceed with the installation of cabinets and other infrastructure construction required for its Project Lightspeed.

The following listing has been verified through staff contacts with the respective agencies. These agencies have agreed to issue AT&T encroachment permits now (prior to obtaining a state franchise) under conditions stating that both AT&T and the local agency reserve their rights to contest the other's authority regarding the provision of video services, should it be necessary:

Concord	Fairfield	Foster City	Los Angeles (City)	Oakley
Palo Alto	Redding	San Mateo	Solano County	Stockton

In addition, the City of Walnut Creek, which has been in litigation with AT&T over its permit condition requiring a City franchise, recently removed this condition by City Council resolution. Staff has also verified that the cities of Anaheim, Danville, and San Ramon have authorized AT&T to begin offering video programming to subscribers.

It should be noted that given the large number of cities contacted by AT&T and varying circumstances, information is not readily available to identify agencies that have chosen not to issue permits prior to AT&T's obtaining a state franchise.

ED SHIKADA
Deputy City Manager

