

CITY OF AVONDALE



**APPLICATION FOR A LICENSE AGREEMENT
TO ACCESS THE PUBLIC RIGHT OF WAY**

Applicant (Company) Name _____

Street Address, City, State, Zip Code _____

Contact Name/ Title _____ E-mail Address _____

Telephone Number _____ Fax _____

Company Web Address _____

Local Office Address (if different than above) _____

Local Agent Name/Title _____

Telephone Number (office) _____ E-mail Address _____

(cell phone) _____

Emergency Contact: Name/Title _____ Phone _____

INSTRUCTIONS: Please attach all materials necessary for proper review. Incomplete applications will be returned. Applications shall be submitted initially to the City’s Engineering Department. For information or questions about the Permit or Construction processes, please contact the Engineering Department at 623-333-4200.

Completed application should be mailed to:

**City of Avondale
Engineering Department
11465 West Civic Center Drive
Avondale, Arizona 85323**

The City, in its proprietary capacity, owns or holds a legal interest in public roads, streets and alleys and all other dedicated public rights-of-way, public utility easements, and public utilities and facilities easements, including air space of the City (collectively the “ROW”). The City is responsible for the management of the ROW within the City’s boundaries. A licensee or holder of a franchise agreement with the City is expected to be knowledgeable in the current laws impacting its license or franchise agreement.

In addition to a License or Franchise Agreement, an Engineering Permit Application and plan review will usually be required. Fees for the reviews and permit must be paid before any construction within a ROW can begin. While the applicant may submit for this Engineering Permit concurrently with this License Application, time frames for an Engineering Permit are separate and apart from the License Application process. Engineering Permit Applications can be submitted online through our Avondale Citizen Portal. Please call 623-333-4200 if you need assistance with this process.

Please submit in writing the information listed below as an attachment to this form. The City may waive some of the information on the below list if it is not applicable to the application being filed.

General Submittal Requirements

Applicant shall, at a minimum, provide the following information:

1. Description of the type of services to be provided and how such services are provided (e.g. fiber, dark fiber, wireless, etc.) Include the percentages / footage of interstate and intrastate traffic for any telecommunication services.
2. Service Areas requested, including any expansion plans.

3. A proposed schedule/timetable for the installation of all facilities and infrastructure to be placed in the public right-of-way and/or other proposed areas.
4. Identification of any agreements with other entities permitting or allowing them to use or lease Applicant's facilities/infrastructure.
5. If applicable, a Copy of Certificate of Convenience and Necessity from Arizona Corporation Commission (Opinion and Order) and any amendments thereto.
6. Other relevant information as requested by the City Engineer as indicated below in the "Technical Submittal Requirements" section.

Technical Submittal Requirements

1. The names, addresses, email addresses and telephone numbers of the applicant including those for: (i) responsible parties during the application, construction and implementation process; (ii) a 24-hour emergency telephone contact; and (iii) contact persons for right of way permits and fees, privilege license taxes, and taxpayer identification numbers.
2. Copy of the applicant's valid Certificate of Public Convenience and Necessity issued by the Arizona Corporation Commission.
3. Detailed statement of the business entity organization of the applicant including, but not limited to:
 - a. The exact legal name of the applicant as it is specified in its charter or other organizing/creation document, as well as the state in which the applicant business entity is organized.
 - b. The names and mailing addresses of any parent or subsidiary of the applicant (namely, any other business entity owning or controlling the applicant, in whole or in part) and a statement describing the nature of any such parent or subsidiary business entity.
 - c. If the applicant is a partnership or limited liability company, provide the names of each partner/member, as well as their respective home and business addresses. If the applicant is a corporation, provide the names and home and business addresses of its directors, officers, major stockholders (defined as any person or entity controlling more than five percent (5%) of the ownership of the applicant) and the respective ownership share of each such person or entity.
 - d. A statement setting forth all agreements and understandings, whether formal or informal, written, oral or implied, existing or proposed to exist, between the applicant and any person who proposes to have an ownership interest with

respect to the proposed license or franchise agreement, the business entity, or others.

- e. Copy of the annual report or other financial information demonstrating the financial position of the company, including:
 - i. a detailed and complete financial statement of the applicant, certified by an independent certified public accountant, for the fiscal year preceding the date of the application showing applicant's financial status and financial ability to complete construction and installation; and,
 - ii. a letter or other acceptable evidence in writing from a recognized lending institution or funding source.
 - f. For cable services, a statement setting forth a:
 - i. Schedule of the programming and other services to be offered initially;
 - ii. Schedule of all proposed classifications of rates and charges to be made against subscribers and all rates and charges as to each classification, including installation charges and cable service charges;
 - iii. Schedule of the number of channels and all the television or radio stations and/or other communication services initially proposed to be received, distributed, relayed, or otherwise conveyed over the cable system; and,
 - iv. Description of the cable system including the type and capacity of the cable system proposed to be constructed, installed, maintained, or operated by the applicant and the proposed location of the cable system headend, microwave dishes, towers and antennas, access facilities, and local business offices.
4. Plan describing scope of the project/facilities, type of equipment to be installed, and other, relevant information including the following:
- a. Complete description of the end-to-end transmission medium (fiber optics, wireless, etc.) that will be used to provide the proposed telecommunications services or a complete description of the size, number and carrying capacity of conduit or duct bank systems in the event the applicant is only building such infrastructure.
 - b. A preliminary schedule (including phasing) for design, installation and construction of the proposed facilities and all equipment necessary to support the system.

- c. A detailed, informative and referenced statement describing the actual equipment and operational standards proposed by the applicant, including equipment specifications.
 - d. A description of any agreement with any other entity that would permit the other entity to use the facilities or equipment of the applicant.
5. Detailed description of all previous experience of the applicant in providing the service in related or similar fields, including a statement identifying by place and date any other telecommunications/cable licenses or franchise agreements awarded to the applicant, its parent or subsidiary and the status of each license and franchise agreement.
6. Detailed description and map indicating all areas proposed to be served and a proposed time schedule. The map must be of sufficient size and detail to identify the areas of Avondale intended to be served by the applicant. Indicate the proposed route and locations of all proposed underground and aboveground facilities. Identify excess capacity that is planned for installation within all segments of the proposed facilities. Excess capacity should be identified in terms of bandwidth, excess fiber, and excess conduit capacity.
7. For cable service, a general five-year plan for any proposed expansion of applicant's cable service area within Avondale.
8. Indicate whether the applicant intends to provide cable television service or other video programming service. If so, provide sufficient information to determine whether such service is subject to cable licensing or franchising requirements.
9. Any other details, statements, information or references, pertinent to the subject matter of the application which may be required or requested by the City Manager, or by any other provision of law.
 - a. General description of facilities proposed to be placed in the City's public right-of-way and/or other proposed areas, including:
 - i. Conduit, ducts, vaults, and any other appurtenances.
 - ii. Any above-grounded facilities required.
 - iii. Any wireless facilities required including placement and spacing needs.
 - iv. Electronic boxes to be placed along roadways, including placement and spacing needs.

- b. Preliminary map showing routes and/or proposed facility locations.
- c. Description and/or photographs/drawings of any above-grounded facilities/antennas/poles, if applicable.
- d. Final CDs, Pole/Foundation Calcs, Zoning Approval and Photosims for BP submittal.

This application is submitted for consideration to receive a Communications License Agreement from the City of Avondale, Arizona. The undersigned representative of the Applicant has been authorized to make representations herein on behalf of the applicant.

Applicant (Company Name)

By: _____
(signature)

Name: _____

Title: _____

Date: _____