

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 23-274

NOTICE OF HEARING REGARDING A FRANCHISE
RENEWAL TO MCDANIEL TELEPHONE COMPANY
TO CONSTRUCT, OPERATE, AND MAINTAIN
TELECOMMUNICATIONS INFRASTRUCTURE IN
LEWIS COUNTY ROAD RIGHTS-OF-WAY

WHEREAS, Lewis County Code 12.20 and RCW 36.55 require that all utility installations in county road rights of way be authorized by a franchise from Lewis County; and

WHEREAS, an application for a franchise renewal has been received by the Board of County Commissioners (BOCC) from McDaniel Telephone Company d/b/a TDS Telecom to install, construct, operate and maintain telecommunication facilities in Lewis County rights of way; and

WHEREAS, said application and all related materials have been reviewed by the BOCC and found appropriate for further proceedings.

NOW THEREFORE BE IT RESOLVED that the BOCC will hold a public hearing on the proposed acceptance of the franchise at or after 10 a.m. September 26, 2022. The hearing will take place at the Historic Lewis County Courthouse, Commissioners' Hearing Room, 351 NW North Street, Chehalis, WA, as set forth in the Notice of Public Hearing attached hereto. Interested parties are encouraged to check the Commissioners' hearing schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calender/> for updated details as the hearing date approaches. The Clerk of the BOCC is hereby instructed to proceed with all appropriate and necessary notifications, posting and publication as required by RCW 36.55.040.

DONE IN OPEN SESSION this 5th day of September, 2023.

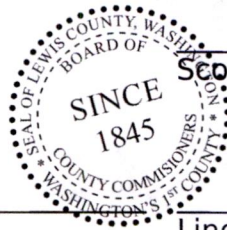
APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

David Bailey
By: David Bailey,
Chief Civil Deputy Prosecuting Attorney

Absent
Sean D. Swope, Chair

ATTEST:



Scott J. Brummer
Scott J. Brummer, Vice Chair

Rieva Lester, CMC
Rieva Lester, CMC,
Clerk of the Lewis County Board of
County Commissioners

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Commissioner

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners, Lewis County, Washington (BOCC), has received an application for a non-exclusive franchise from McDaniel Telephone Co., d/b/a TDS Telecom to install, construct, operate, and maintain telecommunications facilities located within Lewis County road right of way in the following locations:

Portions of Sections 1-2, 11-14, 23-24, Township 12 North, Range 1 West, W.M.. Sections 4-9, 16-20 in Township 12 North, Range 1 East, W.M.. Sections 3-36 in Township 12N, Range 2 East, W.M.. Sections 2-4, 19, 29-34 in Township 12 North, Range 4 East, W.M.. Sections 9-11 and 16 in Township 11 North, Range 2E, W.M.. Sections 3-10, 15-36 in Township 12 North, Range 3 East, W.M.. Sections 1-5, 10-12 in Township 11 North, Range 4 East, W.M.. Sections 23-26, 35-36 in Township 13 North, Range 1 West, W.M.. Sections 18-19, 29-32 in Township 13 North, Range 3 East, W.M.. Sections 7-36 in Township 13 North, Range 2 East, W.M.. Sections 7-36 Township 13 North, Range 1 East, W.M.. All lying within Lewis County, Washington.

The franchise being considered is for a period of five years.

The application and all related materials have been reviewed by the BOCC and found appropriate for further proceedings. A hearing on the non-exclusive franchise will be held on September 26, 2023, at or after 10 a.m., in the Commissioners' Hearing Room on the 2nd floor of the Historic Courthouse in Chehalis, Washington, when and where all persons may appear and be heard upon the granting of the franchise. Interested parties are encouraged to check the Commissioners' hearing schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> for updated details as the hearing date approaches.

RCW 36.55.040 requires that notice of hearing be posted in three public places in the county seat of the county at least 15 days before the day fixed for hearing, and also published two times in the official newspaper of the county, the last publication to be not less than 5 days before the day fixed for hearing.

Title VI Notice to Public

It is the policy of Lewis County that no person shall, on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its Federally funded programs and activities. Any person who believes his/her Title VI protections have been violated may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding

Title VI complaint procedures and/or information regarding our nondiscrimination obligations, please contact Lewis County's Title VI Coordinator at (360) 740-2612.

Dated: September 5, 2023



Rieva Lester
Clerk of the Lewis County Board
of County Commissioners



Publish: The Chronicle, September 7th and September 14th, 2023

Lewis County Public Works

2025 NE Kresky Ave, Chehalis, WA 98532 • Phone: (360) 740-1123 • www.lewiscountywa.gov

APPLICATION FOR REGISTRATION: FRANCHISE OR LICENSE

To: The Lewis County Board of Commissioners
Lewis County, Washington

From: McDaniel Telephone Company And / Or d/b/a TDS Telecom
(Name of Company/Corporation) (Name of Applicant)

I/We hereby apply to the Lewis County Board of Commissioners, Lewis County, Washington, to request that one or more of the following utilities be allowed in, under, along and over the rights-of-way of Lewis County:

Project Description: As noticed in the letter to the Public Works Dept dated 8/2/22 the Company Requests the current franchise agreement be renewed for an additional 5 years.
The current agreement was approved in Resolution #18-330.

Utilities under CH. 36.55 RCW

Utility Franchise – ☐ Public Improvements ☐ Private Improvements

- ☐ New (\$250*)
☐ Renewal (\$250*)
☐ Transfer (\$200**)

- ☐ Water
☐ Sanitary Sewer
☐ Natural Gas
☐ Other: _____

* Plus \$50/hour after 5 hours
** Plus \$50/hour after 3.5 hours

Telecommunications under Lewis County Code Title 12

☒ Franchise (Provides service within Lewis County)

- ☐ New (\$250*)
☒ Renewal (\$250*)
☐ Transfer (\$200**)

☐ License (Passes through Lewis County without providing in-county service)

- ☐ New (\$250*)
☐ Renewal (\$250*)
☐ Transfer (\$200**)

*pd rec'd 8/4/23
sk*

Cable Communications Franchise under Lewis County Code 5.10

- ☐ New (\$250*)
☐ Renewal (\$250*)
☐ Transfer (\$200**)

Total Fees: \$ 250

Make checks payable to: Lewis County Public Works.

Note: Grantee shall also assume the costs of publication associated with this franchise as such publication is required by law.

For a period to be determined, to construct, operate, and maintain the above-checked utilities in, under, along and over the public rights-of-way of County roads or portions thereof, as set forth in the attached description by reference to County-wide or by Section, Township, and Range within Lewis County, Washington.

None of the rights-of-way of County roads over which authority is hereby requested for construction, maintenance, and operation of said system are within the limits of any incorporated city or town, and the said applicant hereby respectfully requests the Board of Commissioners to fix a time and place for hearing of this application and such steps as may be required by law or the practice of this Board and this County in authorizing the granting of a franchise or license.

Yes ☒ No ☐ Applicant hereby states that all WUTC registration and related filings have been complied with [or that this section does not apply ____].

Yes ☒ No ☐ Applicant hereby states that any permit, operating license or other rights or approvals required by the Federal Communications Commission to provide Telecommunications Services or Facilities has been received and/or is currently in effect [or that this section does not apply ____].

Respectfully submitted:

Applying / Requesting Party or Representative

Taxpayer Identification Number (TIN)

By: McDaniel Telephone Company d/b/
Name of Company / Corp (Print/Type)

91-0700960

Address:

160 Stowell Road

Salkum, WA 98582-0060

Taxpayer Identification Type: 3
1 = Individual
2 = Non - Profit
3 = Corporation (Inc., Public, Etc.)

State of Incorporation: Washington

Signed: Gail Long
DocuSigned by: EB07270214C481...

Dated: 6/20/2023 | 1:11 PM CDT

Gail Long

Government & Regulatory Affairs

(Print / Type Name & Title of Representative)

(Department / Division / Section)

608-664-2923

gail.long@tdstelecom.com

(Phone Number)

(Email)

608-830-5519

www.tdstelecom.com

(Fax Number)

(Company Website)

- Applicant shall provide other such information as the County may reasonably require.
- Should any of the registration information provided under this section change, or require amendment or supplement after submission to the County, the requesting party shall notify the County and provide revised information within 30 days of such change or requirement.



August 2, 2022

Lewis County Public Works Department
Real Estate Services, Property Management
2025 NE Kresky Ave
Chehalis, WA, 98532

Sent Via: Email
USPS

Re: Request for renewal of Franchise Agreement Per Section 1.3 of the current agreement

Dear Public Works Department:

McDaniel Telephone Company d/b/a TDS Telecom has appreciated the opportunity to provide voice and internet services in Lewis County and we would like to continue serving your community. Our current franchise expires November 2023. To commence the franchise renewal process, we provide you with this notice per Section 1.3 of the current franchise approved in Resolution Number 18-330:

1.3 Term of Franchise. The term of this nonexclusive franchise shall be five (5) years from the date of this franchise. This franchise may be renewed, at the sole discretion of the County by resolution of the Board of County Commissioners, for one additional five (5) year period upon the written request of, such request to be submitted not more than two (2) years nor less than one hundred eighty (180) days prior to the expiration of the initial five (5) year term.

We look forward to continuing to serve your community and request renewal of this agreement by the Board of County Commissioners for an additional five (5) years. If you have any questions, please do not hesitate to contact me at either gail.long@tdstelecon.com or 608-664-2923.

Sincerely yours,

/s/

Gail Long
Manager, State Government Affairs

Cc: Shawn Kyes - Shawn.Kyes@lewiscountywa.gov

BOCC AGENDA ITEM SUMMARY

Resolution:

BOCC Meeting Date: Sept. 5, 2023

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Notice of hearing regarding a franchise renewal to McDaniel Telephone Company to construct, operate, and maintain telecommunications infrastructure in Lewis County road rights-of-way

Contact: Shawn Kyes

Phone: 360-740-1183

Department: PW - Public Works

Description:

Lewis County Code 12.20 and RCW 36.55 require that all utility installations in county road rights of way be authorized by a franchise from Lewis County. An application for a franchise renewal has been received by the Board of County Commissioners (BOCC) from the McDaniel Telephone Company d/b/a TDS Telecom to install, construct, operate, and maintain telecommunications facilities in Lewis County road rights of way

Approvals:

User	Status
PA's Office	Approved

Publication Requirements:

Publications:

The Chronicle, 9/7/2023 & 9/14/2023

Additional Copies:

Cover Letter To:

Gail Long

gail.long@tdstelecom.com