

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

IN THE MATTER OF:

NOTICE OF HEARING REGARDING A FRANCHISE
RENEWAL TO ASTOUND BROADBAND LLC TO
INSTALL, CONSTRUCT, OPERATE AND MAINTAIN
TELECOMMUNICATIONS FACILITIES IN LEWIS
COUNTY ROAD RIGHTS OF WAY

RESOLUTION NO.
24-382

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 Astound Broadband, LLC, to install, construct, operate and maintain telecommunications 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. November 5, 2024. The hearing will take place at the Historic Lewis County Courthouse, Commissioner's 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 Commissioner's 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 15th day of October, 2024.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Karin Phomma
By: Karin Phomma,
Deputy Prosecuting Attorney

Scott J. Brummer
Scott J. Brummer, Chair

ATTEST:



Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Vice Chair

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

Sean D. Swope
Sean D. Swope, Commissioner

Lewis County Public Works

57 W Main St, 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: Astound Broadband, LLC And / Or Astound Broadband, LLC
(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: Renewal of the existing Telecom Franchise Agreement for the installation, construction, operation, and maintenance of telecommunications facilities within the rights-of-way of Lewis County, WA

Utilities under CH. 36.55 RCW

Utility Franchise – ☐ Public Improvements ☐ Private Improvements

☐ New (\$250*)

☐ Renewal (\$250*)

☐ Transfer (\$200**)

* Plus \$50/hour after 5 hours

** Plus \$50/hour after 3.5 hours

☐ Water

☐ Sanitary Sewer

☐ Natural Gas

☐ Other: _____

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**)

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: Astound Broadband, LLC
Name of Company / Corp (Print/Type)

46-3670078

Address:
650 College Road East
Suite 3100
Princeton, NJ 08540

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

State of Incorporation: Registered with the State of WA

Signed: Joseph Kahl

Dated: 9/24/2024

Joseph Kahl, VP of Regulatory Affairs
(Print / Type Name & Title of Representative)
609-681-2184
(Phone Number)

Corp. Regulatory & Gov't Affairs
(Department / Division / Section)
joe.kahl@astound.com
(Email)

703-434-8184
(Fax Number)

www.astound.com
(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.



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 renewal from Astound Broadband, LLC, to construct, operate, and maintain telecommunications facilities located within Lewis County road right of way in the following locations:

Any and all county roads in Lewis County, WA not within the limits of any incorporated city or town.

The franchise being considered is for a period of 10 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 at or after 10 a.m. November 5, 2024, 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' schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> for updated details as the hearing date approaches.

Written comment may be submitted in person at the BOCC, 351 NW North Street, Room 210, Chehalis, WA 98532 or via email at bocc@lewiscountywa.gov beginning Oct. 15. Written comment must be clearly marked "Written comment for Nov. 5 hearing" and must be received by 10 a.m. Nov. 3, 2024.

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 five 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: October 15, 2024

Rieva Lester
Clerk of the Lewis County Board
of County Commissioners

Publish: The East County Journal, October 16 and October 30, 2024

BOCC AGENDA ITEM SUMMARY

Resolution:

BOCC Meeting Date: Oct. 15, 2024

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

NOTICE OF HEARING REGARDING A FRANCHISE RENEWAL TO ASTOUND BROADBAND, LLC, TO INSTALL, CONSTRUCT, OPERATE, AND MAINTAIN TELECOMMUNICATIONS FACILITIES IN LEWIS COUNTY ROAD RIGHTS-OF-WAY

Contact: Kimberly Edminster

Phone: 360-740-2666

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 Astound Broadband, LLC to install, construct, operate, and maintain telecommunications facilities within the rights of way of unincorporated Lewis County.

Approvals:

User

Status

Publication Requirements:

Publications:

The East County Journal

10/16/2024

10/30/2024

Additional Copies:

Tina Hemphill

Shawn Kyes

Kimberly Edminster

Cover Letter To: