



City of Cambridge

4

IN CITY COUNCIL

Councillor William H. Walsh

October 24, 1988

- WHEREAS: In correspondence dated October 3, 1988, the Executive Officer of the Cambridge License Commission directed the following notification to " All Right of Way Users " .
- " Please be advised that a meeting of the Pole and Conduit Commission will be held on Thursday, November 3, 1988 at 10:00 A.M., Room 200, Barbara Ackermann Room, City Hall ...with regard to the consideration and imposition of fees for right of way users in the public way for the laying and maintaining of any pole, duct, conduit, manhole or other structure to support or contain wires or lines for the transmission of intelligence or for the purpose of light, heat and power (including fiber optic cables) as described in Ordinance 1029, Sect. 9-16.
- The fees shall be as follows:
 \$100 per year for the first 100 yards (300 ft.) or portion thereof; \$1.00 per year per yard (3 feet) beyond the first 100 yards (300 Feet) " . And,
- WHEREAS: Such a fee schedule, both primarily and secondarily, would be a new tax on the users since, while up front the proposed fee will be paid by the utility companies, down back, the fee will be passed on so that the consumers will reimburse the users. A tax called a fee is still a tax; and
- WHEREAS: No specific statement was provided by the License Commission which spelled out what services the City of Cambridge will provide in return for payment of the fee; the amount of revenue anticipated as being collected from imposition of such a fee; the specific purpose or purposes for which such funds would be used; the obviously negative impact which the consumer would be forced to bear with imposition of such fee; now therefore be it
- ORDERED: That the City Manager direct the Chairman of the Cambridge License Commission to be present at the City Council Session on Monday, October 31, 1988 to address each of the issues referenced in this Order and respond to inquiries from this Council. Further, that the City Manager invite representatives of major utility and communications' companies which serve this community, including New England Telephone, to be present for this examination and explanation.



City of Cambridge

COUNCILLOR WALSH

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In City Council October 24, 1988.

Adopted by the affirmative vote of 8 members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

Order #4

Re: 494/16

C. Walsh order re: that the City Manager direct the Chairman of the License Commission to be present at the Council meeting of October 31, 1988 to address concerns Re: consideration & imposition of fees for right of way users for the laying & maintaining of any pole, duct, conduit, manhole or other structure supporting or containing transmission wires.

In City Council,

October 24, 1988

10-24-88

Hearing Scheduled

for 10-31-88 @ 6:00 P.M.

10-31-88

Hearing Held.