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CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

July 29, 2002

To the Honorable, the City Council:

In response to Awaiting Report Item No. 02-52, regarding the possibility of Cambridge charging telecommunication companies a fee for using the City's public right-of-way for running fiber-optic cables, Chair of the License Commission, Benjamin Barnes, reports the following:

Currently, the City of Cambridge, through the Pole and Conduit Commission, collects a fee from all utility and telecommunication corporations for use of public ways in Cambridge. The Pole and Conduit Commission assesses each corporation a maintenance fee as well as a mitigation fee for use of the public way. Mitigation fees are project-specific and can be either in monetary form or in the form of in-kind services (e.g., water main repairs, park improvements, road/sidewalk improvements, etc.) During FY02, the Pole and Conduit Commission collected over \$800,000 in fees and mitigation value.

The Pole and Conduit Commission is reviewing the City of Boston's plan to collect a percentage of telecommunications profits for use of the public way. In the past, however, such actions have been struck down by the courts as illegal taxes or violations of the Federal Communications Act of 1996.

Very Truly Yours,

Robert W. Healy
City Manager

S-221

Consent Agenda #13

Awaiting Report Item

Number 02-52, regarding a report on the possibility of Cambridge charging telecommunication companies a fee for using the City's public right-of-way for running fiber-optic cables.

In City Council July 29, 2002

**REFERRED TO CABLE TV,
TELECOMMUNICATIONS
AND PUBLIC UTILITIES
COMMITTEE ON MOTION OF
COUNCILLOR DECKER.**