

**RESOLUTION NO. 1304 -AMENDED
APRIL 2013**

**EUGENE WATER & ELECTRIC BOARD
DARK FIBER LEASE RATE REVISION**

WHEREAS, the Eugene Water & Electric Board (EWEB) offers surplus Dark Fiber optic strands for lease by public agencies, higher education institutions and medical service providers;

WHEREAS, Dark Fiber Leases are not considered by the Federal Communications Council or the Oregon Public Utilities Commission to be a regulated Telecommunications Service;

WHEREAS, EWEB has expanded its fiber optic network and has experienced increases in construction, operation and maintenance costs associated with the provision of Dark Fiber Leases;

WHEREAS, EWEB sets its Dark Fiber Lease rates based on a cost of service methodology;

WHEREAS, the most recent methodology study formed the basis for the 2013 Dark Fiber Lease Rates;

WHEREAS, EWEB leases Dark Fiber via “indefeasible Right of Use Agreements” (IRUs) or “Intergovernmental Agreements” (IGAs) that make provision for annual escalation based upon the City of Portland’s Consumer Price Index (CPI);

NOW, THEREFORE, BE IT RESOLVED that the Eugene Water & Electric Board hereby authorizes the General Manager to adjust the Dark Fiber Lease Rate for public agencies and higher education institutions and the rate applied to existing leases for medical service providers to \$21.13 per strand-mile per month, adjusted annually thereafter based on the City of Portland CPI, beginning with bills rendered on or after April 1, 2013.

Dated this 2nd day of April 2013.

THE CITY OF EUGENE, OREGON
Acting by and through the
Eugene Water & Electric Board

President

I, DEBRA J. SMITH, the duly appointed, qualified, and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Board at its April 2, 2013 Regular Board Meeting.

Assistant Secretary