

RESOLUTION NO. 27053

A RESOLUTION RELATING TO TELECOMMUNICATIONS
SERVICES PROVIDED BY THE ELECTRIC POWER BOARD
OF CHATTANOOGA.

WHEREAS, the Charter of the City of Chattanooga grants the Electric Power Board of Chattanooga ("EPB") the authority for the management and control of EPB's electric system; and

WHEREAS, by Chapter 531 of the Public Acts of 1997, codified as Tenn. Code Ann. § 7-52-401, *et seq.*, (the "Telecommunications Statutes"), the Tennessee General Assembly authorized municipalities, acting through the board or supervisory body having responsibility for the municipality's electric system, to provide telecommunications services; and

WHEREAS, by its Order dated May 10, 1999 entered in Docket No. 97-07488, the Tennessee Regulatory Authority granted EPB a Certificate of Convenience and Necessity to provide telecommunications services under the authority of the Telecommunications Statutes; and

WHEREAS, by its Order dated August 23, 2007 entered in Docket No. 06-00193, the Tennessee Regulatory Authority granted EPB an expanded Certificate of Convenience and Necessity to provide telecommunications services; and

WHEREAS, EPB has regularly reported to the City of Chattanooga its progress in making available to the community telecommunications services and related Internet and video services, and the City of Chattanooga has regularly taken actions supporting the construction, financing, and operation of EPB's telecommunications, Internet, and video services; and

WHEREAS, favorable refinancing opportunities currently available offer significant benefits to EPB; and

WHEREAS, in connection with such favorable financing and other opportunities, EPB is from time to time asked to verify its authority to provide telecommunications services under the Telecommunications Statutes; and

WHEREAS, the City of Chattanooga wishes to verify and affirm the authority of EPB, acting by and through its Board of Directors, to provide services and enter into transactions pursuant to the authority of the Telecommunications Statutes.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that the City of Chattanooga verifies and affirms the authority of EPB to exercise all powers relating to telecommunications services to the fullest extent permitted by Tennessee Code Annotated §§ 7-52-401, *et seq.* and other applicable law and to take such acts as are authorized pursuant to such laws.

ADOPTED: March 27, 2012.