

**PART 7 RULES AND REGULATIONS GOVERNING FIBER OPTIC SERVICE  
FIBER OPTIC RATES, FEES AND CHARGES****7.10 General Service Conditions**

7.10 (a) BWP shall maintain the fiber optic cable from any manhole, pullbox, vault or pole to the Customer's point of demarcation.

7.10 (b) The service provided will be dark fiber. The Customer is responsible for applying their own signal to the fiber.

7.10 (c) The Customer shall contact BWP well in advance of any new, upgraded or relocated fiber optic installations.

7.10 (d) The Customer shall make an appointment to meet with BWP and conduct a job site walk-through to determine the type of service and to mutually agree on a point of termination prior to any work being performed.

7.10 (e) The Customer has the responsibility to determine if any proposed building construction places BWP's existing fiber optic facilities in conflict with any federal, state or local codes. Any temporary or permanent relocation of BWP facilities to accomplish a project will require all costs be borne by the Customer.

7.10 (f) BWP must review commitments made to a Customer, for any service installation, if more than 12 months have elapsed between the initial meeting [2.01 (d)] and the start of construction.

7.10 (g) Although BWP will make every effort to provide customers with quality, reliable, continuous fiber optic service, BWP makes no guarantees to system interruptions specifically caused by weather, earthquakes or any other conditions beyond the control of BWP.

7.10 (h) Any extension or connection to the fiber network shall be paid by the party requiring the extension or connection.

7.10 (i) To insure the safety of BWP personnel, it is mandatory that all customer work on Burbank fiber optic cable be coordinated with BWP representatives.

7.10 (j) No user shall be granted direct physical access to the fiber network in the public right-of-way.

7.10 (k) All City-owned fiber extensions will include fiber for the City's use without restriction.

7.10 (l) Maintenance of fiber extensions will be shared based on fiber allocations.

7.10 (m) A fiber use agreement is not a franchise.

7.10 (n) No exclusive rights to service will be granted to any company for communication services.

7.10 (o) Up to 32 fibers in the 96-strand cable and 44 fibers in the 144-strand cable may be used by others so that the remaining fibers shall be retained by BWP for future needs.

**7.20 Fiber Optic Rates, Fees and Charges**

7.20 (a) Authority comes from Section 30-203, 30-212 and 30-213 of the Burbank Municipal Code, and the current City of Burbank Fee Resolution.

7.20 (b) All agreements are subject to approval by the City Council.

7.20 (c) Short-term agreements shall have a minimum term of one year.

7.20 (d) Long-term agreements may not exceed 15 years.

7.20 (e) Long-term agreements exceeding five years remaining life shall have a termination option that may be exercised at a cost of 50% of the sum of the remaining payments under full-term conditions of the Agreement.

7.20 (f) Credit worthiness and disconnection of service for non-payment are to be consistent with the current Rules and Regulations.

7.20 (g) Long-term agreements may be discounted as a rate inducement for terms in excess of ten years, the term of depreciation for the fiber. Such discounts shall be in accordance with the following table:

**Pricing Matrix Based upon Term and Quantity**

Lease Term	Number of Fibers Leased		
	1 <sup>st</sup> – 6 <sup>th</sup>	7 <sup>th</sup> – 12 <sup>th</sup>	13 or more
1 – 5 years	\$175.00	\$165.00	\$155.00
6 years	\$171.00	\$161.00	\$151.00
7 years	\$167.00	\$157.00	\$148.00
8 years	\$163.00	\$154.00	\$146.00
9 years	\$159.00	\$151.00	\$143.00
10 years	\$154.00	\$147.00	\$140.00
11 years	\$150.00	\$143.00	\$137.00
12 years	\$146.00	\$140.00	\$135.00
13 years	\$142.00	\$136.00	\$133.00
14 years	\$138.00	\$133.00	\$131.00
15 years	\$135.00	\$128.00	\$128.00