

NOTICE TO PUBLISH

Las Vegas, Nevada

Date: December 26, 2000

TO: LAS VEGAS REVIEW-JOURNAL

FROM: CITY CLERK

SUBJECT: PUBLICATION OF NOTICE OF PUBLIC HEARING RESOLUTION NO. R-139-2000
REGARDING THE GRANTING OF A TELECOMMUNICATIONS SERVICE FRANCHISE

Please publish the attached LEGAL NOTICE

ON THE FOLLOWING DATES: Thursday, January 4, 2001 and Thursday, January 11, 2001

and send me THREE copies of the Affidavit of Publication at your earliest convenience.

(No later than seven (7) days following final publication.)


CHIEF DEPUTY CITY CLERK

cc: Finance Department- Accounts Payable
Finance Department
Front Desk



004090

**REGARDING THE GRANTING OF A TELECOMMUNICATIONS
SERVICE FRANCHISE TO SIERRA PACIFIC COMMUNICATIONS, INC., SETTING
THE PURPOSE, CHARACTER, TERM, TIME AND CONDITIONS OF THE PROPOSED
FRANCHISE AND SETTING A PUBLIC HEARING ON THE ADVISABILITY OF
GRANTING THE PROPOSED FRANCHISE**

WHEREAS, CITY OF LAS VEGAS (CITY), is desirous of providing its residents the opportunity to receive telecommunications service; and

WHEREAS, SIERRA PACIFIC COMMUNICATIONS, INC., (SIERRA PACIFIC) is a Nevada corporation authorized to do business in the State of Nevada, created for the purpose of providing a telecommunications service; and

WHEREAS, on the 26th day of May, 2000, SIERRA PACIFIC, applied, by letter, to the CITY for a franchise permitting the installation, maintenance and use of a telecommunications service within the corporate limits of the CITY; and

WHEREAS, there exists a need to insure that the installation, maintenance and use of a telecommunications service within the corporate limits of the CITY is conducted in a manner which will not interfere with the public's use of improved or unimproved public roads, highways, freeways, streets, avenues, lanes, paths, alleys, drives, parkways, courts and easements now or hereafter existing; and

WHEREAS, in response to SIERRA PACIFIC's request for franchise a proposed Franchise Agreement between the CITY and SIERRA PACIFIC has been prepared granting the necessary permission and authority to SIERRA PACIFIC to utilize the various improved or unimproved public roads, highways, freeways, streets, avenues, lanes, paths, alleys, drives, parkways, courts and easements, now or hereafter existing, for purposes of installing, maintaining and using its telecommunications service.

NOW, THEREFORE, pursuant to the requirements of Section 7.050 of the Las Vegas Charter, IT IS HEREBY ACKNOWLEDGED, DETERMINED AND RESOLVED, by the City Council of the City of Las Vegas, Nevada, as follows:

1. That SIERRA PACIFIC did, on the 26th day of May, 2000, file an application, by letter, with the CITY requesting that a franchise be granted to SIERRA PACIFIC for the purpose of installing, maintaining and using a telecommunications service within the corporate boundaries of the CITY.

2. That the purpose, character, terms, time and conditions of the franchise that the CITY proposes to grant to SIERRA PACIFIC in response to such application to install, maintain and use a telecommunications service in, upon, along, across, above, over and under the streets and other public places within the corporate boundaries of the CITY for a ten (10) year term, with a five (5) year extension under the same terms and conditions upon request of SIERRA PACIFIC is fully set forth in the proposed Franchise Agreement on file in the Office of the City Clerk of the City of Las Vegas, Nevada, which said proposed Franchise Agreement is available for inspection by members of the public. Said proposed Franchise Agreement is, by this reference, incorporated herein and made a part of this Resolution and Notice.

3. That a public hearing be, and it hereby is, set for Wednesday, the 17th day of January, 2001 in the City Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, at the hour of 9:00 a.m., for the purpose of hearing any objections or protests made by any person to the granting of a franchise to SIERRA PACIFIC pursuant to the proposed Franchise Agreement.

4. That all interested persons shall have, and they are hereby given, the right to

appear and be heard on the question of the advisability of granting a telecommunications service franchise pursuant to the proposed Franchise Agreement to SIERRA PACIFIC at the place, date and hour specified for the public hearing in paragraph 3 of this Resolution and Notice, or at any subsequent time to which said public hearing may be adjourned.

5. That the notice provided by this Resolution and Notice is reasonably calculated to inform each interested person of his or her opportunity to appear and be heard on the question of the granting of a telecommunications service franchise pursuant to the proposed Franchise Agreement, and that the City Clerk therefore, be, and she hereby is, authorized, empowered and directed to cause a copy of this Resolution and Notice to be published in full in the issues of the Las Vegas Review Journal published on the 4th day of January, 2001, and the 11th day of January, 2001.

PASSED, ADOPTED and APPROVED this 20th day of December 2000.

CITY OF LAS VEGAS

By /s/ Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

ATTEST:

 /s/ Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk