



Legislation Details (With Text)

**File #:** 01158      **Version:** 1      **Name:** KMC Telecom - assn. to Century Tel Acquisitions, LLC  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/27/2005      **In control:** BOARD OF ESTIMATES (ended 4/2017)  
**On agenda:** 5/17/2005      **Final action:** 5/17/2005  
**Enactment date:** 5/24/2005      **Enactment #:** RES-05-00480

**Title:** Authorizing the Mayor and City Clerk to sign Addendum IV to the Franchise Agreement with KMC Telecom to consent to the assignment of the Agreement to Century Tel Acquisitions, LLC.

**Sponsors:** David J. Cieslewicz

**Indexes:**

**Code sections:**

**Attachments:** 1. KMCassignment.pdf

Date	Ver.	Action By	Action	Result
5/17/2005	1	COMMON COUNCIL	Adopt	Pass
5/9/2005	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/3/2005	1	COMMON COUNCIL	Refer	
4/27/2005	1	Attorney's Office	Fiscal Note Required / Approval	
4/27/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
4/27/2005	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

None anticipated

**Title**

Authorizing the Mayor and City Clerk to sign Addendum IV to the Franchise Agreement with KMC Telecom to consent to the assignment of the Agreement to Century Tel Acquisitions, LLC.

**Body**

WHEREAS, in August, 1996, the City of Madison and KMC Telecom, Inc. (now known as KMC Telecom III, LLC) signed a Franchise Agreement for the construction, operation, and maintenance of a telecommunications network; and

WHEREAS, Article VIII of said Agreement requires that in order to transfer or assign ownership or control of KMC Telecom, Inc., the transfer or assignment shall be approved only if the transferee or assignee acknowledges the Ordinance (Chapter 36A, MGO), becomes a signatory to the Agreement, and assumes all obligations and rights under the Agreement; and

WHEREAS, KMC Telecom III, LLC. has requested approval of transfer and assignment of the Agreement to CenturyTel Acquisitions, LLC ("CenturyTel").

WHEREAS, CenturyTel has agreed to the requirements of Article VII of the Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison hereby authorizes the Mayor and City Clerk to sign Addendum IV to the Agreement with KMC Telecom, Inc.