1	RESOLUTION NO	
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3	A RESOLUTION TO ESTABLISH THAT FRANCHISE FEES FOR THE	
4	USE OF PUBLIC RIGHTS-OF-WAY BY UTILITIES WITHIN THE CITY	
5	OF LITTLE ROCK, ARKANSAS, WILL CONTINUE IN THE SAME	
6	AMOUNT IN 2024; AND FOR OTHER PURPOSES.	
7		
8	WHEREAS, the City will continue Franchise Agreements with various utilities including Water	
9	Service, Sanitary Sewer Services, Electricity Services, Telephone Service, Long Distance	
10	Telecommunications Services and Natural Gas Services, among others, and has done so since 1957; and,	
11	WHEREAS, Arkansas State Law suggests a Franchise is not effective until it has been on public	
12	display for a period of at least ten (10) days prior to its adoption, but, the last scheduled meeting for the	
13	Little Rock Board of Directors for 2023 is scheduled to be December 12, 2023, during a special meeting of	
14	that body; and,	
15	WHEREAS, it is important to avoid any ambiguity about the continuance of Franchise Agreements	
16	with the City, and about the collection of Franchise Fees with the City.	
17	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY	
18	OF LITTLE ROCK, ARKANSAS:	
19	Section 1. The following Franchise Agreements, and Franchise Fees payments, attached below as	
20	Exhibit A, shall be in effect from and after January 1, 2024:	
21	A. Entergy Corporation, in the amount of 5.2% of the company's gross revenue collection as	
22	paid to it by industrial, commercial and residential users located within the corporate limits	
23	of the City of Little Rock, Arkansas, or the sum of Eight Million, Eight Hundred Thousand	
24	Dollars, (\$8,800,000.00), whichever is greater; and,	
25	B. Local Access Telephone Service carriers, in the amount of 7.32% of the respective	
26	company's local exchange access charges collected within the corporate limits of the City	
27	of Little Rock, Arkansas; and,	
28	C. Long Distance Instrastate or Interstate Telecommunication Service providers, in the	
29	amount of \$0.004 cents per minute for toll charges charged to a service address within the	
30	corporate limits of the City of Little Rock, Arkansas; and,	
31	D. Summit Utilities, for Natural Gas Service, in an amount equal to 5.2% of the gross revenues	
32	paid to it during Calendar Year 2024 and each year thereafter by all of its customers	
33	including, but not limited to industrial, residential and commercial customers located	

1	within the corporate limits of the City	of little Rock, Arkansas, or the sum of Two Million,	
2	One Hundred Thousand Dollars (\$2,100,000.00), whichever is greater; and,		
3	E. Central Arkansas Water for Water Service within the corporate limits of the City of Little		
4	Rock, Arkansas, as currently established; and,		
5	F. Little Rock Water Reclamation Authority for Sanitary Sewer Service within the corporate		
6	limits of the City of Little Rock, Arka	unsas, as currently established.	
7	Section 2. Copies of the various annual ordinance or resolution provisions for each of the entities set		
8	forth in Section 1 above shall be on file with the	City Clerk, and will be listed on the City of Little Rock,	
9	Arkansas, website, for a period of not less than ter	n (10) days prior to the end of 2023.	
10	Section 3. If not passed or adopted prior to	o the first regular meeting on January 9, 2024, formal	
11	legislation for the 2024 Fiscal Year shall be on	the agenda for approval at the January 9, 2024, regular	
12	meeting, provided that the rates set forth in such le	gislation shall not exceed the amounts set forth in Section	
13	1 above; provided, that Section 1 sets only the ra	ites, so any other terms and conditions of the Franchise	
14	Agreements may be set forth more fully at that time.		
15	Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or		
16	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or		
17	adjudication shall not affect the remaining portions of the resolution which shall remain in full force and		
18	effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the		
19	resolution.		
20	Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with		
21	the provisions of this ordinance are hereby repealed	ed to the extent of such inconsistency.	
22	PASSED: December 12, 2023		
23	ATTEST:	APPROVED:	
24			
25 26	Susan Langley, City Clerk	Frank Scott, Jr., Mayor	
27	APPROVED AS TO LEGAL FORM:	Frank Scott, Jr., Mayor	
28	AFFROVED AS TO LEGAL FORM:		
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30	Thomas M. Carpenter, City Attorney		
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1	Exhibit A	
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3	ORDINANCE NO	
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5	AN ORDINANCE TO FIX AND IMPOSE THE AGGREGATE AMOUNT	
6	OF FEES AND CHARGES TO BE PAID TO THE CITY OF LITTLE ROCK,	
7	ARKANSAS, BY ENTERGY CORPORATION AND THE METHOD OF	
8	PAYMENT THEREOF; TO AMEND SECTION 9 OF LITTLE ROCK,	
9	ARK., ORDINANCE NO. 11,683 (DECEMBER 6, 1965); AND FOR OTHER	
10	PURPOSES.	
11	Text oblis.	
12	WHEREAS, Entergy Corporation is duly authorized by a Franchise Agreement to, among other things,	
13	construct, operate, maintain, and extend an electric system within the City of Little Rock, Arkansas (the	
14	"City"), and to sell, furnish, transmit and distribute electric power and energy to the City and citizens	
15	residing therein; and,	
16	WHEREAS, Entergy is now providing electric service to the City and its inhabitants and occupying	
17	the streets, alleys, airways, and other public rights-of-way within the City pursuant to said franchise	
18	agreement, and making certain payments to the City in lieu of all other taxes, fees, charges, impositions,	
19	and licenses, except general taxes; and,	
20	WHEREAS, the City is legally authorized to impose, and Entergy is obligated to pay a just and	
21	reasonable Franchise Fee in connection with its operations in the City.	
22	NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY	
23	OF LITTLE ROCK, ARKANSAS:	
24	Section 1. Section 9 of the Franchise Agreement, which is Little Rock, Ark., Ordinance No. 11,683	
25	(December 6, 1965) as amended, is hereby amended to include the following:	
26	For the year beginning January 1, 2024, and each year thereafter, Entergy shall pay in	
27	monthly installments, the sum of 5.2% of the Company's gross revenue collection as paid	
28	to it by industrial, commercial, and residential users located within the corporate limits of	
29	the City of Little Rock or the sum of Eight Million, Eight Hundred Thousand Dollars	
30	(\$8,800,000.00), whichever is greater. The Company's Auditor shall certify such gross	
31	revenues.	
32	Section 2. Payments to the City by Entergy Corporation of the amounts as provided for in Section 1	
33	hereof shall be made monthly on or before the 15 th of each month.	

1	Section 3. Entergy Corporation shall also be subject	t to the relocation policy set forth in Little Rock,		
2	Ark., Rev. Code §\$2-350 – 357 (1988).			
3	Section 4. Effective Date. Because an ordinance of this nature remains in effect until abandoned, and			
4	in light of the language of the current Section 1 of this	in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set		
5	forth in Section 1 of this ordinance shall be in full force a	forth in Section 1 of this ordinance shall be in full force and on January 1, 2024.		
6	Section 5. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or			
7	word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or			
8	adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and			
9	effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the			
10	ordinance.			
11	Section 6. Repealer. All ordinances and parts of ord	inances that conflict herewith are hereby repealed;		
12	2 provided, however, only to the extent that the same are	in direct conflict herewith. Except as provided,		
13	nothing herein shall be construed to alter or change the t	erms or conditions of the present franchise under		
14	which Entergy Corporation is operating, as set forth in	Ordinance No. 11,683 (December 6, 1965), as		
15	amended.	amended.		
16	PASSED: December 5, 2023			
17	ATTEST:	APPROVED:		
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20		Frank Scott, Jr., Mayor		
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1	ORDINANCE NO
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3	AN ORDINANCE TO AMEND LITTLE ROCK, ARK., ORDINANCE NO.
4	11,366 (MARCH 4, 1963), AS AMENDED, TO PROVIDE FOR LEVYING A
5	FRANCHISE FEE TO BE PAID BY SUMMIT UTILITIES (FORMERLY
6	KNOWN AS CENTERPOINT ENERGY ARKLA); TO PROVIDE FOR THE
7	PAYMENT THEREOF; AND FOR OTHER PURPOSES.
8	
9	WHEREAS, Summit Utilities (formerly known as CenterPoint Energy ARKLA) ("the Gas Company")
10	is authorized by franchise ordinance to operate a Gas Distribution System and appurtenances thereto, used
11	in or incident to the rendition of gas service to the City of Little Rock, Arkansas ("the City") and the
12	inhabitants residing therein; and,
13	WHEREAS, the Gas Company is now and will be occupying the streets, alleys and rights-of-way of
14	the City for the purpose of operating, maintaining and extending its gas services to the City and supplying
15	the City and consumers therein gas service; and,
16	WHEREAS, the City is legally authorized to impose, and the Gas Company is obligated to pay a just
17	and reasonable Franchise Fee in connection with the operations in the City.
18	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
19	OF LITTLE ROCK, ARKANSAS:
20	Section 1. Section 1 of Little Rock, Ark., Ordinance No. 11,366 (March 4, 1963) is hereby amended
21	to read as follows:
22	Summit Utilities (the Gas Company) shall on a monthly basis pay a Franchise Fee in an
23	amount equal to 5.2% of the Gas Company's gross revenues as paid to it during the
24	Calendar Year 2024 and each year thereafter by all of its customers, including but not
25	limited to industrial, residential and commercial customers located within the corporate
26	limits of the City of Little Rock or the sum of Two Million, One Hundred Thousand Dollars
27	(\$2,100,000.00) per year, whichever is greater. The Auditor of the Gas Company shall
28	certify said gross revenues.
29	Section 2. Payments to the City by Summit Utilities of the amounts as provided for in Section 1 hereof
30	shall be made monthly on or before the 15th day of each month.
31	Section 3. Summit Utilities shall also be subject to the relocation policy set forth in Little Rock, Ark.,
32	Rev. Code §§2-350 – 357 (1988).

33

Section 4. Effective Date. Because an ordinance of this nature remains in effect until abandoned, and

1 in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set 2 forth in Section 1 of this ordinance shall be in full force and on January 1, 2024. 3 Section 5. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or 4 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or 5 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and 6 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the 7 ordinance. 8 Section 6. Repealer. All ordinances and parts of ordinances that conflict herewith are hereby repealed; 9 provided, however, only to the extent that the same are in direct conflict herewith. Except as provided, 10 nothing herein shall be construed to alter or change the terms or conditions of the present franchise under which Summit Utilities is operating, as set forth in Ordinance No. 11,366 (March 4, 1963), as amended. 11 12 PASSED: December 5, 2023 13 ATTEST: **APPROVED:** 14 15 16 Susan Langley, City Clerk Frank Scott, Jr., Mayor 17 APPROVED AS TO LEGAL FORM: 18 19 20 Thomas M. Carpenter, City Attorney 21 // 22 // 23 // 24 // 25 // 26 // 27 // 28 // 29 // 30 // 31 //32 // 33 // 34 // 35 //

1	ORDINANCE NO	
2		
3	AN ORDINANCE TO FIX AND IMPOSE THE AMOUNT OF FEES AND	
4	CHARGES TO BE PAID TO THE CITY OF LITTLE ROCK, ARKANSAS,	
5	BY ALL COMPANIES THAT PROVIDE INTERSTATE OR INTRASTATE	
6	LONG DISTANCE TELECOMMUNICATION SERVICES, AND ALL	
7	BUSINESS INCIDENTAL TO, OR CONNECTED WITH, THE	
8	CONDUCTING OF SUCH TELEPHONE BUSINESS IN THE CITY OF	
9	LITTLE ROCK, ARKANSAS; TO AMEND SECTION 3 OF LITTLE	
10	ROCK, ARK., ORDINANCE NO. 15,706 (JULY 5, 1989); AND FOR OTHER	
11	PURPOSES.	
12	Text oblis.	
13	WHEREAS, the City entered into a franchise agreement with Southwestern Bell Telephone or	
14	December 17, 1962; and,	
15	WHEREAS, the City has had the authority to require such franchises for public utilities utilizing th	
16	City rights-of-way since 1935 by virtue of Act 324 of 1935, and upon any other statutory or legal authority	
17	and,	
18	WHEREAS, the transmission of communications by telephone or telegraph meets the definition of	
19	public utility under Arkansas law by virtue of Act 324 of 1935; and,	
20	WHEREAS, subsequent to the passage of the original Franchise Agreement, and its subsequent	
21	amendments, there have been monumental changes in the telecommunications industry, including the	
22	divestiture of the long distance telephone service monopoly once enjoyed by Southwestern Bell Telephone	
23	and American Telephone and Telegraph Companies so that numerous companies compete to provide	
24	customers with Long Distance Telecommunication Services within the City of Little Rock; and,	
25	WHEREAS, the City is entitled to receive such just and reasonable fees from the providers of Long	
26	Distance Telecommunication Services for their use of the City streets, alleys, airways, and other public	
27	rights-of-way, which the City may lawfully impose and the companies are obligated to pay.	
28	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY	
29	OF LITTLE ROCK, ARKANSAS:	
30	Section 1. Section 3 of Little Rock, Ark., Ordinance 15,706 (July 5, 1989), as amended, is hereby	
31	amended to include the following:	
32	For the year beginning January 1, 2024, there is hereby levied against, and shall be	
33	collected from, all providers of Long Distance Telecommunication Services a fee in the	

amount of \$0.004 per minute for toll calls charged to a service address within the corporate limits of the City of Little Rock, Arkansas. The provider of Long Distance Telecommunication Services shall be responsible for assuring that this fee is paid to the City. This fee is levied as a Franchise Fee and shall be collected by the provider of Long Distance Telecommunication Services in accordance with Arkansas State Law.

Section 2. Payments to the City by companies providing Long Distance Telecommunication Services in accordance with the franchise fee imposed herein shall be made monthly within thirty (30) days of the end of each month commencing January 1, 2024.

Section 3. The City reserves the right to perform any necessary public works or make any necessary public improvements to the City's rights-of-way or airways (to the extent airways are related to facilities attached to or between poles) during the term of this Agreement. If, as a result of any action by the City, or by any action authorized by the City for the benefit of the public good, relocation of any of the Company's conduit or other facilities is required, such relocation shall be accomplished at the sole expense of the Company. Nothing in this Franchise shall be deemed a waiver of the City's right to require the Company to comply with all applicable zoning and other applicable regulatory ordinances or to pay any reasonable permit fees or to seek appropriate authorizations from the Company to perform any work in connection with the Franchise. Should the City close, eliminate, or discontinue use of any public street during the term of this Franchise, or any renewal term, this Franchise shall cease with respect to such streets upon the date of final action by the City with respect to the closure, elimination or discontinuance of such streets.

Section 4. *Effective Date.* Because an ordinance of this nature remains in effect until abandoned, and in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set forth in Section 1 of this ordinance shall be in full force and on January 1, 2024.

Section 5. *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 6. *Repealer.* All ordinances and parts of ordinances that conflict herewith are hereby repealed; provided, however, only to the extent that the same are in direct conflict herewith. Except as provided, nothing herein shall be construed to alter or change the terms or conditions of the present franchise under which the providers of Long Distance Telecommunication Services are operating, pursuant to Ordinance No. 15,706 (July 5, 1989) and Ordinance No. 15,729 (August 1, 1989).

PASSED: December 5, 2023

ATTEST:	APPROVED:
Susan Langley, City Clerk	Frank Scott, Jr., Mayor
APPROVED AS TO LEGAL FORM:	
Thomas M. Carpenter, City Attorney	
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1	ORDINANCE NO	
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3	AN ORDINANCE TO LEVY FRANCHISE FEES TO BE PAID BY ALL	
4	CARRIERS PROVIDING LOCAL ACCESS TELEPHONE SERVICE; TO	
5	PROVIDE FOR THE PAYMENT THEREOF; AND FOR OTHER	
6	PURPOSES.	
7		
8	WHEREAS, the Southwestern Bell Telephone Company, now AT&T, has for decades been authorized	
9	by ordinance to operate its telephone system and all business incidental to or connected with the conduc	
10	of a telephone business in the City; and,	
11	WHEREAS, pursuant to Little Rock, Ark. Ordinance No. 11,345 (December 17, 1962), and	
12	recognizing an order of the Arkansas Public Service Commission entered on December 10, 1957, in Docke	
13	U-281 relating to the treatment by the Telephone Company of all City special taxes, the City granted AT&T	
14	the privilege to continue operation of its telephone system and related business within the City and first	
15	provided for the payment of a Privilege Tax by that company of One and 07/100 Dollar (\$1.07) multiplied	
16	by the number of telephones in the City as of the end of the preceding year; and,	
17	WHEREAS, pursuant to Ordinance No. 14,981 (November 5, 1985), the City Board of Directors	
18	imposed, beginning on January 1, 1986, a change in the calculation of the Privilege Fee for AT&T, to be	
19	in an amount equal to 7.32% of the company's access line billing revenues for 1985 or a minimum of One	
20	Million, Seven Hundred Seventy-Five Thousand Dollars (\$1,775,000.00); and,	
21	WHEREAS, subsequent ordinances thereafter incrementally raised the amount of the minimum	
22	Franchise Fee until, beginning with Ordinance No. 16,557 (December 21, 1993) it reached the amount Two	
23	Million Dollars (\$2,000,000.00), which minimum has remained in effect until the present time; and,	
24	WHEREAS, after a review of the current market situation, the City has determined that having a	
25	minimum Franchise Fee is no longer appropriate and is setting the minimum aside; and,	
26	WHEREAS, AT&T and other telephone companies similarly providing a local access telephone	
27	system in the City are now and will be occupying the streets, alleys, airways and other public rights-of-way	
28	of the City for the purpose of operating and maintaining such Local Access Telephone Systems; and,	
29	WHEREAS, the City is legally authorized to impose, and all local access telephone services companies	
30	are obligated to pay, a just and reasonable Franchise Fee in connection with such company's local access	
31	telephone service operations in the City.	
32	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY	
33	OF LITTLE ROCK, ARKANSAS:	

- Section 1. There is hereby imposed and each and every Local Access Telephone Service Carrier ("Telephone Company") shall pay to the City a Franchise Fee in an amount equal to 7.32% of the respective Telephone Company's local exchange access line charges collected within the City's corporate limits during
- 4 the previous month.

- Section 2. Payments to the City by the Telephone Company for the Franchise Fee shall be made monthly by the 20th day of each month.
 - **Section 3.** On a monthly basis, by the 20th day of each month, the auditor for each Telephone Company shall certify to the City that Telephone Company's access line revenues collected during the previous month in Little Rock.
- Section 4. The City recognizes and accepts the purposes and results of an Order of the Arkansas Public
 Service Commission entered on February 7, 1980, in Docket U-30132 relating to the treatment by the
 Telephone Company of all City special fees.
 - Section 5. It is acknowledged that Ordinance No. 11,345 (amended by Ordinance No. 14,981), which set out the terms and conditions of the present privilege authority, is the controlling document over current Local Access Telephone Service Franchises. Ordinance No. 11,345 specifically provided that nothing contained therein was to be construed as giving AT&T any exclusive privileges. Ordinance No. 14,981 amended Ordinance No. 16,557 to change the method of calculating the fee to that method presently employed and to add a section detailing the City's utility relocation policy to be complied with. That Utility Relocation Policy shall remain in effect under this ordinance. The Telephone Company shall also be subject to the Utility Relocation Policy set forth in Little Rock, Ark., Rev. Code §§2-350 to 357 (1988).
 - **Section 6.** Nothing herein contained shall be construed as altering or amending any other rights or obligations of the City or each Telephone Company as provided for in Ordinance No. 11,345 except the language of Section 2 of Ordinance No. 11,345 pertaining to the method of calculating the Telephone Company's annual Franchise Fee.
 - **Section 7.** Nothing in this ordinance shall prevent the City from collecting from Telephone Companies previously due but unpaid Franchise Fees.
 - **Section 8.** *Effective Date.* Because an ordinance of this nature remains in effect until abandoned, and in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set forth in Section 1 of this ordinance shall be in full force and on January 1, 2024.
 - **Section 9.** *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

1	Section 10. Repealer. All ordinances and parts of ordinances that conflict herewith are her		
2	repealed; provided, however, only to the extent that the same are in direct conflict herewith. Except a		
3	provided, nothing herein shall be construed to alter or change the terms or conditions of the present franchis		
4	under which AT&T is operating, as set forth in Ordinance No. 11,345 (December 17, 1962), Ordinance No.		
5	14,981 (November 5, 1985), and Ordinance No.	16,557 (December 21, 1993)	
6	PASSED: December 5, 2023		
7	ATTEST:	APPROVED:	
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9			
10	Susan Langley, City Clerk	Frank Scott, Jr., Mayor	
11	APPROVED AS TO LEGAL FORM:		
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13 14	Thomas M. Carpenter, City Attorney		
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