



Public Infrastructure and Conservation

Deb Bell

Council Initiated:

Yes

No

ECAF: 2024-0395
Ordinance: 24-034

Type:

- Contract
- Board Appt.
- Code Amendment
- Budget Action
- Other

Requested Handling:

- Normal
- Expedite
- Urgent

Fund Source:

- General Fund
- Other
- N/A

Executive Rec:

- Approve
- Do Not Approve
- N/A

Approved as to

Form:

- Yes
- No
- N/A

Subject: Non-exclusive cable franchise within County rights-of-way.

Scope: The ordinance would approve a non-exclusive cable franchise authorizing limited use of the public rights-of-way in Snohomish County, Washington to Ziplly Fiber Northwest, LLC D/B/A Ziplly Fiber. The franchise would encompass unincorporated rights-of-way in Snohomish County as specified in Section 1.19 of the Franchise and as depicted on Exhibit A of the Engineers Report.

Duration: The maximum term of the proposed Franchise is five (5) years.

Fiscal Impact: Current Year Multi-Year N/A

County expenses are for the preparation and processing of the Franchise. All costs are to be reimbursed by the applicant prior to acceptance of the Franchise.

Expenditures	Current Year	2025	2026	2027	Total
Fund 102	\$1,000				\$1,000
Revenue	Current Year	2025	2026	2027	Total
Fund 102	\$1,000				\$1,000

Authority Granted: Authorizes a non-exclusive cable franchise authorizing limited use of the public road rights-of-way in Snohomish County to Ziplly Fiber Northwest, LLC D/B/A Ziplly Fiber, under SCC 13.80.030.

Background: Ziplly Fiber Northwest, LLC (“Ziplly Fiber”) is a foreign limited liability company, UBI Number 313 013 420, which operates a cable system as defined in the Federal Communications Act, 47 U.S.C. §521 et seq. and provides video programming to customers within unincorporated Snohomish County. Ziplly Fiber has been providing cable service under the franchise originally granted to Verizon Northwest, Inc., on August 27, 2008, by Ordinance No. 08-102, recorded under Auditor’s File No. 200809090396, which expired on September 5, 2021.

Control of the franchise granted by Ordinance No. 08-102 was transferred from Verizon Northwest, Inc. to Frontier Communications Corporation by Motion No. 09-490 which was approved by the Snohomish County Council on November 9, 2009. Control of the franchise was transferred from Frontier Communications Corporation to Northwest Fiber, LLC, by Motion No. 19-282 which was approved by the Snohomish County Council on September 25, 2019. Upon closing of the acquisition transaction and transfer of control approved by Motion 19-282, the Franchisee was converted into Frontier Communications Northwest, LLC, a direct and wholly owned subsidiary of Northwest Fiber, LLC. Frontier Communications Northwest, LLC, was subsequently renamed to Ziplly Fiber Northwest, LLC, on June 21, 2021. Ziplly Fiber’s cable service is provided over an existing “Fiber to the Premises” (FTTP) telecommunications network consisting of overhead and underground facilities. Construction and maintenance of the cable system are subject to the terms and conditions of the separate telecommunications franchise granted to Ziplly Fiber Northwest, LLC D/B/A Ziplly Fiber on July 12, 2023, by Ord. [Ordinance 23-059](#), recorded under Auditor File No. 202308140141.

Action Requested: To move the ordinance to GLS on May 15 to set time and date for a Public Hearing, suggested date and time of June 5, 2024, at 10:30 am.