

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WILSON, NORTH CAROLINA
OPPOSING HOUSE BILL 1587**

WHEREAS, following extensive study by the City Council, a public hearing, and in response to significant interest from businesses, industries, consumers and public entities, and in reliance on existing law, the City Council in 2006 approved construction of a fiber-to-the-premises network (“Network”) to make broadband services accessible to consumers and businesses at every address in the City;

WHEREAS, the City Council has determined that the construction, development and operation of the Network is in the public interest and the City has expended funds, incurred debt obligations and entered contracts toward constructing the Network and is currently providing fiber-optic services to business customers;

WHEREAS, the City’s Network is capable of providing better quality, reliability, and coverage than commercial providers of telecommunications services are currently providing or that they intend to provide in the City in the foreseeable future;

WHEREAS, the City Council desires that its citizens and businesses have more advanced and cost-effective communications and entertainment services than are currently available in the City by existing providers;

WHEREAS, House Bill 1587, “The Local Government Fair Competition Act”, has been entered in the 2007 session of the General Assembly of North Carolina, and seeks to retroactively change the law applicable to municipal fiber optics systems in a manner which will effectively prohibit municipalities from competing in the marketplace with commercial providers;

WHEREAS, House Bill 1587 places additional and unnecessary burdens on local governments who have chosen to provide high-speed broadband telecommunication services to its businesses and residences and impairs the City of Wilson’s ability to comply with its existing contracts, to satisfy its existing debt obligations and to provide universal service and Network build-out;

WHEREAS, House Bill 1587 is not designed to make competition fair, but to greatly hinder local governments from providing needed services where existing high quality internet services are non-existent and where private companies have chosen not to make the investment necessary to provide those services;

WHEREAS, the General Assembly has already established 1) rules for the operation of Public Enterprises (NCGS § 160A Article 16), 2) regulation through the Budget and Fiscal Control Act (NCGS § 159 Article 3), and oversight by the Local Government Commission (NCGS § 160A, Article 3) which apply to local governments which seek to offer an enterprise service to its community;

WHEREAS, House Bill 1587 is counter to the Local Development Act of 1925 as established NCGS § 158 that allows local government to aid and encourage economic development in communities throughout North Carolina and is counter to other existing law;

WHEREAS, the development of new communications technologies, high-speed broadband networks and their expeditious deployment in all our local communities is necessary for economic development and community growth in North Carolina into the future to replace our lost textile, tobacco, furniture and manufacturing jobs.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wilson, North Carolina is against the passing of House Bill 1587 or any similar anti-competitive legislation and urges all members of the North Carolina General Assembly to vote “NO” in Committee and if necessary on the floor of the General Assembly.

DULY ADOPTED, this the 24th day of May, 2007.

CITY OF WILSON

C. Bruce Rose, Mayor

ATTEST:

Rebecca D. Rose, City Clerk