



1

Agenda



Permitting and governance
structures



Franchise Agreements and
ROW Licensing Ordinances

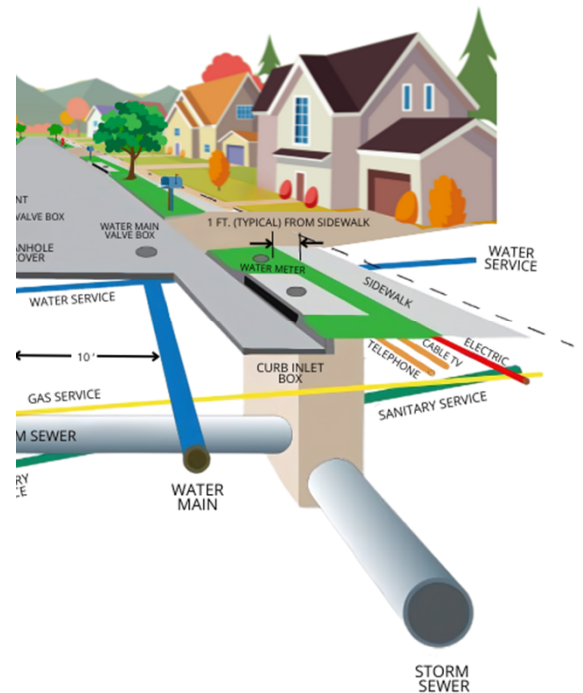


Example fee structures and
discussion

2

Current Governance Structures

- Licensing Ordinance (Telecommunications only)
- Franchise Agreements



3



4

Eugene Utility Permitting Program

- Individual Utility Permits
 - Avg review time: 10 days
- Annual Blanket Utility Permit
 - For minor repairs, service lines
 - Expedited and only requires 48-hour notice
- Standards for construction, traffic control, etc.

Franchise Agreements

- Operates as a contract
- Various lengths and terms
- Negotiations and management by staff
- Does not exempt from permitting requirements



5

Potential ROW Licensing Ordinance

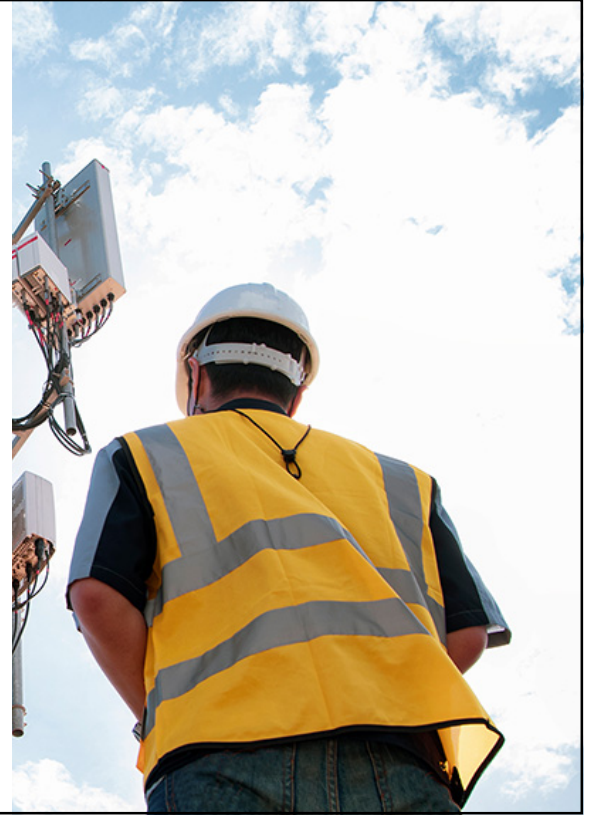
- Local regulatory framework
- Establishes uniform rules, responsibilities, fee structures
- Non-telecommunications utilities in Eugene



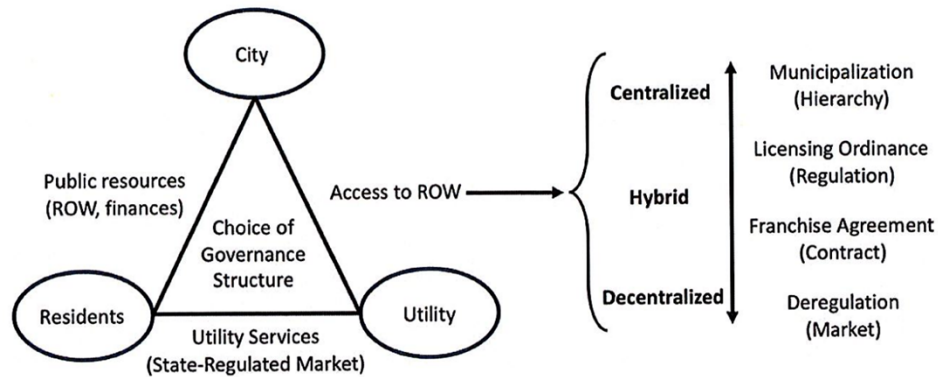
6

Eugene Telecommunication Licensing Ord. 20083

- Adopted in 1997
- Registration fee: 2% gross revenue
- License fee: 7% gross revenue
- Does not exempt from permitting



7



Franchise Agreement vs. Licensing Ordinance

- Licensing ordinance:
 - Consistent framework and fees
 - Flexibility to update with technology, state/federal regulatory changes
- Franchise:
 - More flexibility for unique terms to the provider at the time of negotiations
- Licensing reduces staff burden and individual negotiations

Image from: Brekken CA, Patchell R and Mycek J (2025) Right-of-way licensing ordinances: renewing city authority over energy utilities to facilitate climate policy. Front. Sustain. Cities 7:1511985. doi: 10.3389/frsc.2025.1511985

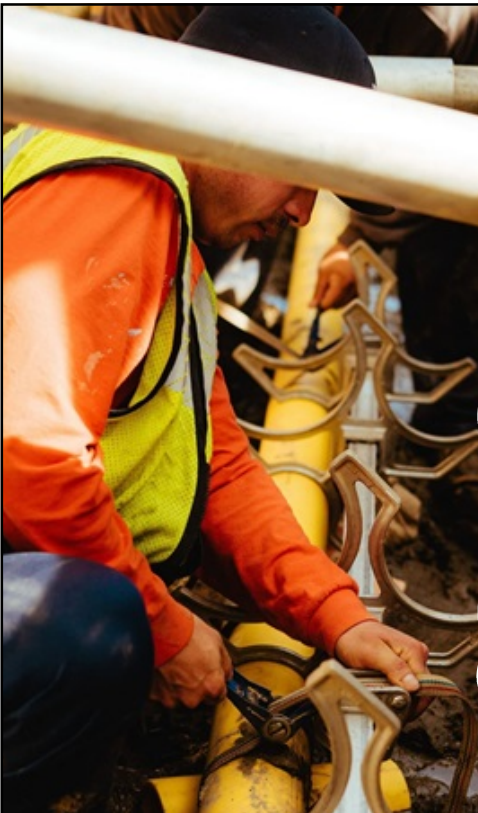
8

Licensing Ordinance Fee Structures and Revenue Considerations

- Eugene:
 - Telecom: 2% registration + 7% license
 - Revenue ~\$5.5M/year.
 - Non-telecom: 6% sewer/water/electric
 - Administrative Order or IGA
 - Natural Gas Supplier Tax: 5%
 - Eugene Code 3.605
- Other Oregon cities:
 - Bend: 5-7%
 - Gresham: 10%
 - Oregon City: 5-6%
 - Tualatin: 3.5-5%
- Potential initial fee adoption and update process



9



Summary

- Benefits to a ROW Licensing Ordinance
 - Consistent regulation
 - Reduced staff burden
 - Flexible response to external changes
- Challenges to a ROW Licensing
 - Loss of flexibility
 - Requires further and extensive analysis

10

Questions?



Jack Blackham, Interim Development Services Manager (PWE)



Doug Singer, Interim City Engineer (PWE)



Lacey Risdal, Interim PW Director (PWA)



Hwa Go, Assistant City Attorney (CS)



Jay Runte, Broadband and Telecommunications Program Manager (CS)