

July 18, 2019

WaveDivision I, LLC
401 Parkplace Center, Suite 103
Kirkland, WA 98033
Attn: Legal Department

RE: County Council Hearing on Franchise Application

Dear WaveDivision I, LLC

For your information, the Whatcom County Council will hold a public hearing on a proposed ordinance that would grant WaveDivision I, LLC, a non-exclusive franchise. You may wish to post copies of this notice in the vicinity of the areas that are included in your franchise application. I have enclosed a copy of the public hearing notice for your records. The hearing is scheduled for September 10, 2019. The Council meeting begins at 7 p.m. and is located in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

WaveDivision I is encouraged to send representative to attend the hearing. Council will consider statements made during the hearing in making its final decision. If the proposed ordinance is adopted, you will receive an "Acceptance of Franchise" form and an invoice from our office within a few weeks of the adoption date. Your franchise is not truly granted until the notarized Acceptance of Franchise is returned to our office along with payment. It will then be recorded by the County Auditor and a copy will be mailed to you.

Thank you, and please feel free to contact me if you have questions or concerns.

Sincerely,

Dana Brown-Davis, CMC
Clerk of the Council

Enc. Hearing Notice

C: Public Works Administration
Chris Quinn, Prosecutor's Office
Andrew Hester, Public Works
AB2019-368

**Radiate Holdings, L.P.
301 Commerce Street, Suite 3300
Fort Worth, TX 76102**

Via FedEx

January 25, 2018

Deputy Clerk of the Council
Whatcom County Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225-4038

RECEIVED

JAN 26 2018
WHATCOM COUNTY
COUNCIL

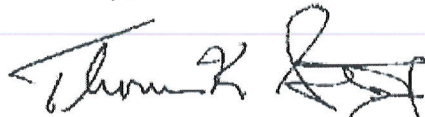
Dear Deputy Clerk:

On June 20, 2017, Radiate HoldCo, LLC, a Delaware limited liability company and an indirect wholly-owned subsidiary of Radiate Holdings, L.P. (“Radiate”) and Wave Holdco, LLC (“Wave”) notified you of a proposed transaction between Radiate and Wave in which Radiate would acquire all the outstanding membership interests of Wave, including WaveDivision I, LLC (“Franchisee”), which currently holds a franchise to offer video service in your community (the “Transaction”). This letter is to inform you that Radiate and Wave obtained all necessary regulatory approvals for the transfer of control of Wave to Radiate, and the parties closed the Transaction on January 24, 2018.

While as a result of the Transaction, indirect control of Franchisee changed from Wave to Radiate, Franchisee’s legal name has not changed, and Radiate has no current plans to change the local operations or structure of Wave’s and Franchisee’s operations, or the services offered.

If you have any questions, please contact Tom Steel at (617) 670-2906 or at Tom.Steel@rcn.net.

Sincerely,



Tom Steel
Vice President of Regulatory & Public Affairs
RCN Telecom Services, LLC

Marina Engels

From: Andrew Hester
Sent: Wednesday, January 31, 2018 10:58 AM
To: Daniel Gibson; Marina Engels
Cc: Tara Adrian
Subject: RE: Wave Franchise

I confirmed with Wave that the franchise will still be in the name of WaveDivision I. LLC. No action is needed.

From: Daniel Gibson
Sent: Tuesday, January 30, 2018 4:28 PM
To: Andrew Hester
Cc: Marina Engels; Tara Adrian
Subject: RE: Wave Franchise

Andrew:
I agree entirely.

From: Andrew Hester
Sent: Monday, January 29, 2018 11:13 AM
To: Daniel Gibson
Cc: Marina Engels; Tara Adrian
Subject: Wave Franchise

Hello Dan,

The Council office received the attached letter which details that Radiate Holdings, L.P. acquired Wave Holdco, LLC including WaveDivision I, LLC.

Both existing Wave franchises are expired and we are currently working on a new franchise agreement with Wave. They had previously submitted an application for the franchise under the name "WaveDivision I, LLC" and according to the letter it would appear that Radiate has no intention of changing the name the franchise would be under from WaveDivision I, LLC.

Should I contact Wave and confirm that they still intend for the new franchise to be in the name of WaveDivision I, LLC. My assumption is that if they intend to have the franchise in the name of WaveDivision I, LLC. no action is necessary and this letter is only for information purposes.

Thanks,

Andrew Hester, RWP
Real Estate Coordinator
Whatcom County Public Works
360-778-6216

Radiate Holdings, L.P.
301 Commerce Street, Suite 3300
Fort Worth, TX 76102

Via FedEx

January 25, 2018

Deputy Clerk of the Council
Whatcom County Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225-4038

RECEIVED

JAN 26 2018
WHATCOM COUNTY
COUNCIL

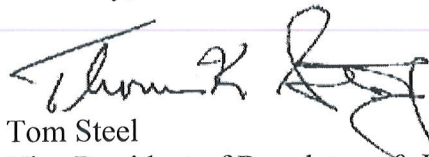
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Sincerely,



Tom Steel
Vice President of Regulatory & Public Affairs
RCN Telecom Services, LLC

Dana Brown-Davis

From: krovelo@mcclatchy.com on behalf of LegalsWest, MCC <legals.west@mcclatchy.com>
Sent: Monday, July 15, 2019 3:59 PM
To: Dana Brown-Davis; Andrew Hester
Cc: Pamela.Brady@bp.com
Subject: Re: Please Publish August 18 and August 25
Attachments: Order Confirmation.pdf

Hello:

I have attached here the ad order confirmation. Deadline for approval and payment of 7/18 edition is no later than 12:00 pm on 7/17. There is a credit card (1005-Pamela Brady) for payment, let me know if we can process payment with this card. In regards to the proof of publication this is mailed to the address of the account being billed for the ad. If another Affidavit is needed please email us the next business day after the last publication date. Please do let me know if you have any questions.

Kelly Rovelo
800-665-5430 Ext. 4

On Mon, Jul 15, 2019 at 5:35 PM Dana Brown-Davis <DBrown@co.whatcom.wa.us> wrote:

DATE: July 15, 2019
TO: The Bellingham Herald (legals.west@mcclatchy.com)
RE: Hearing Notice Publication – Please Publish August 18 and August 25

1. Send **original** Affidavit of Publication to:

Whatcom County Council

Attn: Dana Brown-Davis
311 Grand Avenue, Suite 105
Bellingham, WA 98225

2. Send **bill for publication** and **copy** of affidavit to:

Name: BP West Coast Products, LLC

Attn: Pam Brady

Address: 4519 Grandview Road
Blaine, WA 98230

Email: Pamela.Brady@bp.com

Phone: 360.371.1519

3. Please confirm receipt of this notification to:
DBrown@co.whatcom.wa.us

4. **To the Applicant:** The Bellingham Herald will contact you at the **telephone number** or **email** listed above for pre-payment (credit cards are accepted). The notice will not run without this payment and your hearing **will not** take place if the notice is not in the newspaper.

PUBLISH ON: August 18 and 25

PUBLIC HEARING NOTICE

The Whatcom County Council will have a public hearing, consider adopting, and may amend the following at its September 10, 2019, meeting, or at a later date:

RESOLUTION VACATING SAFSTEN ROAD, FILED BY BP WEST COAST PRODUCTS LLC ET. AL. (AB2019-379): Petitioners seek to vacate the county's legal rights to open the road or portion of the road described as follows: A strip of land 33 feet in width on and along the west line of the E ½ SW ¼ Section 6, Township 39 North, Range 1 East, W.M. Situate in Whatcom County, Washington.

Any taxpayer may speak for or against the proposal at the hearing, which will be held during the regular Council meeting which begins at 7 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington. Official documents relating to this request are available for review during regular office hours in the Council Office, 311 Grand Avenue, and the Public Works Office, 322 N. Commercial Street, Suite 210, Bellingham.

Council introduced the above at its July 9, 2019, meeting. People with special needs who will be attending this meeting are asked to please contact our office (360-778-5010) at least 96 hours in advance so we can make any needed accommodations. If interpretive services or transportation is needed, please call more than two days ahead of time.

Dated July 15

WHATCOM COUNTY COUNCIL

WHATCOM COUNTY, WASHINGTON

Rud Browne Dana Brown-Davis

Council Chair Clerk of the Council

Publish August 18 and 25

Dana Brown-Davis, CMC
Clerk of the Council



Whatcom County Council
311 Grand Ave, Suite 105
Bellingham, WA 98225
(360)778-5010
DBrown@co.whatcom.wa.us

All emails and attachments sent to and from Whatcom County are public records and may be subject to disclosure. Please do not forward this email without permission. Thank you.



THE BELLINGHAM HERALD

Order Confirmation

Customer

BP CHERRY POINT REFINERY

Payor Customer

BP CHERRY POINT REFINERY

Customer Account

481404

Payor Account

481404

Customer Address

4519 GRANDVIEW RD
BLAINE WA 98230 USA

Payor Address

4519 GRANDVIEW RD
BLAINE WA 98230 USA

Customer Phone

360-371-1519

Payor Phone

360-371-1519

Customer Fax

Customer EMail

ANNA.PERRECONE@bp.com

Sales Rep

ddardano@mcclatchy.com

Order Taker

krovelo@mcclatchy.com

PO Number

PUBLIC HEARING NOTICE

Payment Method

Credit Card

Blind Box

Tear Sheets

0

Proofs

0

Affidavits

2

Net Amount

\$460.00

Tax Amount

\$0.00

Total Amount

\$460.00

Payment Amount

\$0.00

Amount Due

\$460.00

Ad Order Number

0004302429

Order Source

Ordered By

Dana Brown-Davis

Special Pricing

Invoice Text

PUBLIC HEARING NOTICE

Promo Type

Package Buy

Materials

PUBLIC HEARING NOTICE

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Dated July 15

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Rud Browne Council Chair
Dana Brown-Davis Clerk of the Council



THE BELLINGHAM HERALD

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
450919	0004367537	PUBLIC HEARING NOTICE The Whatcom Count	884330P	\$267.84	1	8.00 In

Attention: Dana Brown-Davis

WHATCOM CO COUNCIL
311 GRAND AVE STE 105
BELLINGHAM, WA 982254038

PUBLIC HEARING NOTICE

The Whatcom County Council will have a public hearing, consider adopting, and may amend the following at its September 24, 2019, meeting, or at a later date:

ORDINANCE GRANTING COMCAST COMMUNICATIONS MANAGEMENT, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICES WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-366): This ordinance grants a non-exclusive franchise to Comcast Cable Communications Management, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. This ordinance was introduced on July 9, 2019.

ORDINANCE GRANTING WAVEDIVISION I, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICE WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-368): This ordinance grants a non-exclusive franchise to WaveDivision I, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. This ordinance was introduced on July 9, 2019. Public documents are available for review from 8 a.m. - 4:30 p.m. in the Council Office, 311 Grand Avenue, Bellingham, and at www.co.whatcom.wa.us/council. Meetings are in the Council Chambers, same address, at 7 p.m., unless otherwise announced. The Council Chambers is handicapped accessible. People with special needs or disabilities who will be attending this meeting are asked to please contact our of...

AB2019-366


AB2019-368

267.84 ÷ 2 =
\$133.92

VICTORIA RODELA, being duly sworn, deposes and says: That he/she is the Principal Clerk of The Bellingham Herald, a daily newspaper printed and published in Bellingham, Whatcom County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Bellingham Herald, as amended, for:

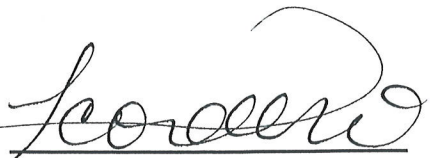
2 Insertions

Published On:
September 08, 2019, September 15, 2019

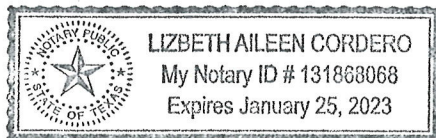


(Principal Clerk)

Subscribed and sworn on this 16th day of September in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

rice (360-778-5010 or 800-675-6757) at least 96 hours in advance.

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Rud Browne Dana Brown-Davis
Council Chair Clerk of the Council

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

October 11, 2019

WaveDivision I, LLC
401 Parkplace Center, Suite 103
Kirkland, WA 98033
Attn: Legal Department

RE: Franchise Approval

To the Legal Department of WaveDivision I, LLC:

At the Whatcom County Council's meeting of September 24, 2019, Ordinance 2019-064 was adopted, granting your company a non-exclusive franchise for a period of 10 years. You will be mailed a copy of the ordinance, as well as other paperwork fully granting your franchise, after you have completed the following steps:

☀ Complete and return the enclosed "Acceptance of Franchise" form to the Council Office, 311 Grand Ave., Suite 105, Bellingham, WA 98225.

☀ Reimburse the Council Office for publication costs of \$133.92 (make your check payable to "Whatcom County Council").

Please respond to this request within 30 days. The process will be complete and your franchise will be in effect once we receive your payment and the Acceptance of Franchise form. We will have the ordinance and the Acceptance of Franchise recorded by the County Auditor. We will mail you a copy of both documents once they are recorded. Your cooperation is appreciated, and we wish you good luck in your venture.

Sincerely,

A handwritten signature in blue ink that reads "Cathy B. Halka".

Cathy B. Halka, AICP
Legislative Analyst

Enc. Acceptance of Franchise Form
Copy of legal affidavit for publication

C: AB 2019-368

WAVEDIVISION HOLDINGS, LLC

650 COLLEGE ROAD EAST, SUITE 3100
PRINCETON, NJ 08540

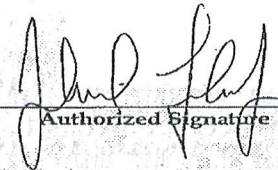
PNC bank NA
Jeanette, PA 55 - 277 / 312

*** VOID AFTER 90 DAYS ***

CHECK NUMBER	CHECK DATE	CHECK AMOUNT
00808884	11/07/2019	\$133.92

PAY One Hundred Thirty Three Dollars And 92 Cents

TO THE ORDER OF Whatcom County
Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225


Authorized Signature

⑈00808884⑈ ⑆031202770⑆ 8026425716⑈

RECEIPT
Whatcom County

200426

DEPARTMENT Council DATE 11/13/19

RECEIVED FROM Wave Division 1, LLC
ADDRESS _____

IN PAYMENT OF non exclusive franchise (10 yr period)

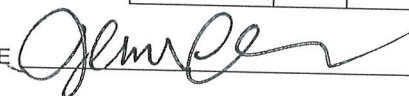
FUND _____ AMOUNT PAID 133.92

REVENUE CODE _____

ck #00808884

OLD BAL.		
PAID		
BAL. DUE		

CASH		
CHECK	133	92
MONEY ORD.		

SIGNATURE 

NOTE - All three copies of all voided receipts must be retained
in department's numerical file.



THE BELLINGHAM HERALD

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
450919	0004398589	COUNCIL ACTION TAKEN The Whatcom County	884330P	\$393.72	2	11.33 In

Attention: Dana Brown-Davis

WHATCOM CO COUNCIL
311 GRAND AVE STE 105
BELLINGHAM, WA 982254038

RECEIVED

OCT 07 2019

WHATCOM COUNTY
COUNCIL

COUNCIL ACTION TAKEN

The Whatcom County Council adopted the following at its September 24, 2019 meeting:

ORDINANCE (2019-063) GRANTING COMCAST COMMUNICATIONS MANAGEMENT, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICES WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-366): This ordinance grants a non-exclusive franchise to Comcast Cable Communications Management, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. Council introduced this ordinance on July 9, 2019.

AB2019 - 366

ORDINANCE (2019-064) GRANTING WAVEDIVISION I, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICE WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-368): This ordinance grants a nonexclusive franchise to WaveDivision I, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. Council introduced this ordinance on July 9, 2019.

AB2019 - 368

RESOLUTION (2019-039) VACATING SAFSTEN ROAD, FILED BY BP WEST COAST PRODUCTS LLC ET AL. (AB2019-379): Petitioners seek to vacate the county's legal rights to open the road or portion of the road described as follows: A strip of land 33 feet in width on and along the west line of the E 1/2 SW 1/4 Section 6, Township 39 North, Range 1 East, W.M. Situate in Whatcom County, Washington. Council introduced this resolution on July 9, 2019.

AB2019 - 379

ORDINANCE (2019-065) ESTABLISHING A SPEED LIMIT FOR PORTIONS OF EAST SMITH ROAD AND EVERSON GOSHEN ROAD (2019-450): This ordinance establishes the speed limits as follows: 35 MPH on E. Smith Road, from 1000 feet west of Everson Goshen Road to 1000 feet east of Everson Goshen Road, Sections 25,26,35,36, Township 39 North, Range 3 East, W.M.; 35 MPH on Everson Goshen Road, from 1000 feet north of E. Smith Road to 1000 feet south of E. Smith Road, Sections 25,26,35,36, Township 39 North, Range 3 East, W.M. The County Engineer will install the appropriate signs and the Sheriff and State Patrol will be notified. Council introduced this ordinance on September 10, 2019.

AB2019 - 450

ORDINANCE (2019-066) AMENDING WCC 8.13, SOLID WASTE DISPOSAL DISTRICT, REGARDING THE SOLID WASTE EXCISE PRIVILEGE TAX (2019-458): This ordinance amends WCC 8.13.030. Excise privilege tax levied to implement a revenue neutral conversion of the tax, for solid waste collection companies, from \$8.50 per ton to 3.3% of invoice, thus ensuring that taxes collected exactly equal taxes remitted. Council introduced this ordinance on September 10, 2019.

AB2019 - 458

RESOLUTION (2019-040) IN THE MATTER OF THE WHATCOM COUNTY SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FOR THE YEAR 2020 THROUGH 2025 (2019-445): Each year the County is required to update its Six-Year Transportation Improvement Program (STIP), per RCW 35.77.010 and RCW 36.81.121. THE STIP includes the capital elements of the 2020-2025 Six-Year Transportation Improvement Program and 2020-2033 Fourteen-Year Ferry Capital Program. The STIP is intended as a planning tool for local, state and federally funded projects and is designed to identify projects for preliminary engineering, right-of-way purchase and/or construction. Council introduced this resolution on September 10, 2019.

AB2019 - 445

RESOLUTION (2019-041) THE SIX-YEAR WATER RESOURCES IMPROVEMENT PROGRAM (WRIP) FOR THE YEARS 2020-2025 (2019-456): Resolution by the Whatcom County Flood Control Zone District Board of Supervisors adopting the Six-Year Water Resources Improvement Program (WRIP) for 2020-2025. The adoption by resolution is pursuant to the Revised Code of Washington (RCW 86.15.110) Council introduced this resolution on September 10, 2019.

AB2019 - 456

VICTORIA RODELA, being duly sworn, deposes and says: That he/she is the Principal Clerk of The Bellingham Herald, a daily newspaper printed and published in Bellingham, Whatcom County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Bellingham Herald, as amended, for:

1 Insertions

Published On:
September 29, 2019

(Principal Clerk)

Subscribed and sworn on this 30th day of September in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public in and for the state of Texas, residing in Dallas County

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

ORDINANCE (2019-068) AMENDING THE PROJECT BUDGET FOR THE EAST WHATCOM REGIONAL RESOURCE CENTER EXPANSION PROJECT, IN THE AMOUNT OF \$172,000 (AB2019-460): This ordinance amends the project budget to secure \$172,000 to complete the EWRRS's second building. The original project budget and subsequent amendments, for a total amended project budget of \$6,384,571. Council introduced this ordinance on September 10, 2019. **ORDINANCE (2019-069) AMENDING THE PROJECT BUDGET FOR THE TRIAGE CENTER EXPANSION FUND, REQUEST NO. 3 (AB2019-464):** This ordinance amends the expenditure authority by adding \$1,000,000 to the current amended project budget of \$12,400,000 to a total amended project budget of \$13,400,000. This is contingency funding, along with spending authority, for unanticipated expenses and any complications with the construction of the facility. These funds will only be utilized if necessary. Council introduced this ordinance on September 10, 2019. **ORDINANCE (2019-070) AMENDING THE 2019 WHATCOM COUNTY BUDGET, REQUEST NO. 12 (AB2019-465):** This ordinance adds appropriations to: Non Departmental jail medical costs \$362,000; Sheriff \$1,000; From Jail Fund: \$36,531 Electrical work; \$9,000 Fiber cost increase; \$17,000 Medication Assisted treatment program; \$362,000 jail medical services and medication costs; \$172,000 to East Whatcom Regional Resource Center Phase II; \$50,000 Whatcom Unified Emergency Coordination Center model; \$750,000 fund Port of Bellingham Broadband Project; \$1,000,000 Triage Facility project. For a total \$2,759,531. Council introduced this ordinance on September 10, 2019. **ORDINANCE (2019-067) AMENDING THE PROJECT BUDGET FOR THE BIRCH BAY DRIVE AND PEDESTRIAN FACILITY PROJECT FUND, REQUEST NO. 5 (AB2019-451):** This ordinance amends the project budget to add an additional amount of \$3,000,000 of expenditure authority for a new current project budget expenditure amount of \$14,450,000. The additional expenditure amount is needed due to budget capacity lost from the extended permitting and R/W phase work, as well the extensive archaeological monitoring that will be required in the construction phase. Council introduced this ordinance on September 10, 2019. Public documents are available for review from 8 a.m. - 4:30 p.m. in the Council Office, 311 Grand Avenue, Bellingham, and at www.co.whatcom.wa.us/council. Meetings are in the Council Chambers, same address, at 7:00 p.m., unless otherwise announced.

AB2019 - 460

AB2019 - 464

AB2019 - 465

AB2019 - 451

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

October 11, 2019

WaveDivision I, LLC
401 Parkplace Center, Suite 103
Kirkland, WA 98033
Attn: Legal Department

RE: Franchise Approval

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☀ Reimburse the Council Office for publication costs of \$133.92 (make your check payable to "Whatcom County Council").

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Sincerely,

Cathy B. Halka, AICP
Legislative Analyst

Enc. Acceptance of Franchise Form
Copy of legal affidavit for publication

C: AB 2019-368



THE BELLINGHAM HERALD

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
450919	0004367537	PUBLIC HEARING NOTICE The Whatcom Count	884330P	\$267.84	1	8.00 In

Attention: Dana Brown-Davis

WHATCOM CO COUNCIL
311 GRAND AVE STE 105
BELLINGHAM, WA 982254038

PUBLIC HEARING NOTICE

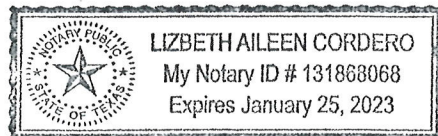
The Whatcom County Council will have a public hearing, consider adopting, and may amend the following at its September 24, 2019, meeting, or at a later date:

ORDINANCE GRANTING COMCAST COMMUNICATIONS MANAGEMENT, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICES WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-366): This ordinance grants a non-exclusive franchise to Comcast Cable Communications Management, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. This ordinance was introduced on July 9, 2019.

ORDINANCE GRANTING WAVEDIVISION I, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF CABLE SERVICE WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY (AB2019-368): This ordinance grants a non-exclusive franchise to WaveDivision I, LLC, for a period of ten (10) years in order that it may install, construct, erect, operate, maintain, repair, relocate, and remove its facilities in, on, upon, along, and/or across those rights-of-way for purposes of offering and providing cable services utilizing said facilities. The franchise area is described as those public rights-of-way located within the present or future unincorporated limits of the County. This ordinance was introduced on July 9, 2019. Public documents are available for review from 8 a.m. - 4:30 p.m. in the Council Office, 311 Grand Avenue, Bellingham, and at www.co.whatcom.wa.us/council. Meetings are in the Council Chambers, same address, at 7 p.m., unless otherwise announced. The Council Chambers is handicapped accessible. People with special needs or disabilities who will be attending this meeting are asked to please contact our of...

AB2019 - 366

AB2019-368 $267.84 \div 2 =$
\$133.92



VICTORIA RODELA, being duly sworn, deposes and says: That he/she is the Principal Clerk of The Bellingham Herald, a daily newspaper printed and published in Bellingham, Whatcom County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Bellingham Herald, as amended, for:

2 Insertions

Published On:
September 08, 2019, September 15, 2019

[Signature]

(Principal Clerk)

Subscribed and sworn on this 16th day of September in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

[Signature]

Notary Public in and for the state of Texas, residing in Dallas County

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

rice (360-778-5010 or 800-676-6757) at least 96 hours in advance.

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Rud Browne Dana Brown-Davis
Council Chair Clerk of the Council

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

November 21, 2019

Fred Lutz, VP and General Manager
Wave Broadband
3700 MonteVilla Parkway
Bothell, WA 98021

Re: Recorded Franchise Ordinance

Dear WaveDivision I, LLC:

Enclosed is a copy of Whatcom County Ordinance Number 2019-064 approving assignment of the franchise granted to WaveDivision I, LLC. The Franchise Ordinance has been recorded with the County Auditor. Enclosed is a copy for your records. It can also be accessed online at recording.whatcomcounty.us.

I would like to take this opportunity to thank you for your timeliness and cooperation in this process. Please let me know if you have any questions.

Sincerely,

Cathy B. Halka, AICP
Legislative Analyst
Whatcom County Council

c: Christopher Quinn, Prosecutor's Office
Jon Hutchings, Public Works Administration
Jack Louws, County Executive
WaveDivision I, LLC franchise file AB2019-368



RECEIVED

DEC 26 2019

WHATCOM COUNTY
COUNCIL

December 23, 2019

Whatcom County Council
Attn: Deputy Clerk of the Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225-4038

RE: WaveDivision Holdings, LLC ("Wave Broadband"); Rate Adjustment Notice

We are providing the following details in compliance with the 30-day advanced notification of an adjustment to rates under the applicable FCC regulations and the requirements of our franchise with the County of Whatcom County, Wave Broadband will be adjusting the retail price of some of its video services starting February 1, 2020.

The monthly rates for the following TV services will be adjusted: the Local TV Stations' fee will increase by \$0.58; Local Broadcast TV, and any packages including that service, will increase by \$2.00; the Expanded Content channel tier (also known as Basic Cable), and any packages including that service, will increase by \$1.35. Digital Channel tiers including Digital Favorites, Digital Variety and Digital Sports tiers, and any packages including these services will increase by \$1.00 each. Universal and Digital Converter set-top boxes, HD Receiver set-top boxes, High Definition DVR set-top boxes, TiVo DVRs and TiVo Minis will increase by \$1.00 each.

This rate adjustment is the result of annual programming cost increases by major TV networks, regional sports programmers, independent channel providers, and local broadcast channel providers. When network owners increase their monthly fees, it ultimately results in higher rates for our video customers.

These rate changes are exclusive of franchise fees, regulatory fees, and other governmentally-imposed charges. Customers will receive the accompanying letter with detailed information covering the rate changes with their billing statement.

At Wave, we work hard to establish the best channel selection for our customers and communities while balancing rapidly increasing programming costs. We will continue to invest in our network to bring customers the latest technologies to enhance their service experience at very competitive prices.

We thank you, as always, for the opportunity to serve your community.

Sincerely,

Fred Lutz
SVP, Operations
Wave Broadband



At Wave Broadband, your satisfaction with our services is our primary goal. Each of us work hard to ensure you and the communities we serve have access to the best, fastest and most reliable internet, TV and phone services. Each and every day, we endeavor to deliver high quality services at a great value and have always aimed to put our customers first.

While we strive to keep prices as low as possible, we – and our entire industry – continue to face dramatic increases in the costs large corporate broadcasters and cable programming networks charge for us to carry their content. Network owners have again increased their monthly carriage fees; as a result, we are forced to adjust our rates to address these substantial cost increases. To learn more about the costs associated with TV programming, please visit wavehome.com/content.

Because of these rising costs associated with delivering your services, you will see in your next monthly statement the following rate adjustments:

- The Local Broadcast TV charge, which provides access to local networks, shopping channels, 50 digital music channels will increase by \$2.00. In addition, the [Seattle TV stations] monthly fee for carriage of their content will increase by \$0.58.
- Expanded Content channel tier will increase \$1.35/month due to content cost increases from cable TV networks.
- Digital Favorites channel tier will increase by \$1.00/month due to content cost increases from cable TV networks.
- Digital Sports channel tier will increase by \$1.00/month due to content cost increases from cable TV networks.
- Digital Variety channel tier will increase by \$1.00/month due to content cost increases from cable TV networks.
- Digital set-top boxes used for TV service (including TiVo boxes) will increase by \$1.00/each/month.
- Modem rental and home networking fees will increase by \$1.00/each/month.
- Modem service fees will increase \$3.00/month.
- Local telephone service will increase by \$3.00/month.
- Periodically, franchise, utility, PEG fees and other fees & taxes are also adjusted in keeping with regulatory requirements. You may notice changes to this portion of your bill. In addition, starting February 1st, one-time charge fees will also be adjusted: Late Charge fees will increase by \$5.50, the non-pay restoral fee will increase by \$5.00, and the Service Installation Fee will increase by \$20.00.

Service improvements from Wave

We continue to make substantial investments and upgrades to our network and technology to give our customers more for their money on the services and features they care about most, like:

- **Voice Remote** and the New TiVo Experience – Say it, see it, watch it
- **Eero** – Enhanced whole-home WiFi that blankets every corner of your home with TrueMesh technology
- **Sonos** – The ultimate home audio experience filling every room with brilliant sound
- **Gig Speed Internet** – Surf, stream, work and game faster than ever

Alternate TV & streaming video package options available

Wave's philosophy is to provide our customers with choice and control. We have TV package alternatives available to help you customize your viewing options, including high speed internet and streaming TV options, providing the best value on the channels you watch most. Give us a call and we'd be happy to explore your TV package options.

We're here for you

We are local—we live and work in your community, and we are committed to serving you, our friends, families and neighbors. From all of us at Wave, thank you for choosing us for your telecommunications needs. For more information about any of Wave's products and services, please give us a call at 1-866-928-3123.

Internet upload and download speeds may vary and are not guaranteed. Observed speeds may vary based on device, connection, and other factors outside of Wave's control. Gig Speed Internet not available in all areas.

From: Andrew Hester
Sent: Monday, October 25, 2021 3:40 PM
To: Mdoover@kelleydrye.com; mnilsson@hwglaw.com
Cc: Christopher Quinn <CQuinn@co.whatcom.wa.us>
Subject: WaveDivision I, LLC - Whatcom County Franchise Agreement

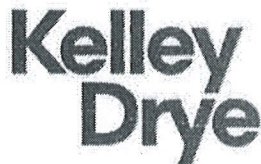
Hello,

Whatcom County has reviewed the information you sent previously in late 2020 and in response to your letter dated September 10, 2021 in regards to the transfer of control of an indirect parent company of WaveDivision I, LLC no further action is needed regarding the franchise agreement WaveDivision I, LLC has with Whatcom County. Please let us know if there are any additional changes or updates.

Thank you,

Andrew Hester, SRWA
Real Estate Coordinator
Whatcom County Public Works
360-778-6216

Sent to Andrew Hester 9/21/2021



Michael R. Dover

Kelley Drye & Warren LLP
333 West Wacker Drive
Suite 2600
Chicago, IL 60606
Tel: 312-857-7087
Fax: 312-857-7095

September 10, 2021

County of Whatcom
Deputy Clerk of the Council
311 Grand Avenue
Suite 105
Bellingham, WA 98225-4038

Via U.S. Mail

DISTRIBUTED TO

SEP 17 2021

**ALL COUNCIL MEMBERS
WHATCOM COUNTY COUNCIL**

Re: Notice of Consummation for the Transfer of Control of an Indirect Parent Company of WaveDivision I, LLC

To Deputy Clerk of the Council:

WaveDivision I, LLC ("the Company"), Radiate Holdings, L.P. ("Radiate"), and Stonepeak Associates IV LLC ("Stonepeak") (collectively, the "Companies"), by counsel, hereby notify the County of Whatcom that on August 19, 2021, the Companies completed the indirect transfer of control of a parent company of WaveDivision I, LLC, as indicated in our correspondence to you on 12/7/2021.

If there are any questions regarding this notice or the transaction generally, please contact the undersigned counsel. Thank you for your assistance with this matter.

Respectfully submitted,

Michael R. Dover
Kelley Drye & Warren LLP
(773) 272-2382
MDover@kelleydrye.com
Counsel to Radiate Holdings, L.P.

Michael Nilsson
Harris, Wiltshire & Grannis LLP
(202) 730-1301
MNilsson@hwglaw.com
Counsel to Stonepeak Associates IV LLC

