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October 25, 2021

Mr. Jeff Vice
Intergovernmental Relations Manager
Austin Energy

via email: Jeff.Vice@austinenenergy.com

Re: Franchise Agreement – Austin Energy and City of Rollingwood

Dear Mr. Vice,

Thank you for your submission of the Franchise Agreement renewal as proposed by the City of Austin. City Council has requested that I respond to your proposal. Given the recent storm events, during which the City of Rollingwood was severely impacted in terms of power to the City's critical infrastructure and the City's commercial and residential areas, the City Council is requesting additional terms be included in the proposed Franchise Agreement with Austin Energy, as follows:

(1) Notifications

- a. Austin Energy to direct all notifications that would ordinarily be directed to HOAs per Austin Energy's internal policies to be sent to the City Administrator of the City of Rollingwood.

(2) Tree Pruning

- a. Austin Energy to annually meet with the City of Rollingwood to record any areas where active Oak Wilt is identified prior to pruning in the City of Rollingwood.
- b. Austin Energy to notify the City of Rollingwood prior to tree trimming activity in the City of Rollingwood.
- c. Austin Energy to complete pruning of all trees in the City of Rollingwood that abut Austin Energy power lines, within the next 12 months, to specified standards for vegetation removal around power lines.
- d. Austin Energy to map areas where the species of trees abutting Austin Energy power lines require pruning more than every four to five years and schedule more frequent pruning of the mapped areas.

(3) Critical Infrastructure

- a. Austin Energy to annually provide verification to the City of Rollingwood that critical infrastructure within the City of Rollingwood is marked in Austin Energy's grid as

critical infrastructure and that contact information for emergency notifications regarding critical infrastructure is current.

b. Austin Energy to provide the City of Rollingwood with a history of the dates and reasons recorded for outages to critical infrastructure over the last five years and prospectively, as soon as practical, but no later than 10 business days after the outage.

c. Austin Energy to conduct an inventory of the age, service type, and path of supply to the critical infrastructure within the City of Rollingwood, coordinate with the City of Rollingwood to evaluate whether supply design updates are necessary for improved reliability of critical infrastructure and perform any such identified updates.

(4) System-wide inventory

a. Austin Energy, at least every two years, if not annually, to conduct a system-wide inventory of all Licensee Attachments and other attachments as provided under Austin Utilities Criteria Manual 6.6.3.1.

b. Austin Energy to provide the City of Rollingwood with the right to review each system-wide inventory.

(5) Additional attachments to Austin Energy operated poles

a. Austin Energy to provide the City of Rollingwood with a Communication Attachment Inventory for all Austin Energy operated poles in the City of Rollingwood.

b. Austin Energy to notify the City of Rollingwood of any wireless node attachment applications for Austin Energy poles within the City of Rollingwood.

As the City has previously indicated, Winter Storm Uri and the subsequent spring storm in May, has resulted in the realization that the City's relationship with Austin Energy is critically important and the City has made it a priority to develop and strengthen their relationship with Austin Energy. To this extent, the City Council has directed City staff to work with Austin Energy in learning more about Austin Energy's infrastructure in Rollingwood, the maintenance of the infrastructure, and how we can assist Austin Energy in being good stewards of this infrastructure. The City believes that these terms will assist in this very important effort. If you would like to schedule a meeting to discuss, please let me know and I will make sure the necessary City staff are available.

Very truly yours,

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CHARLES E. ZECH

City Attorney for the City of Rollingwood

CEZ/mw