

Introduced by:	Mayor
Date:	03/21/17
Hearing:	04/04/17
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2016-19-30**

**AN ORDINANCE APPROPRIATING SUPPLEMENTAL FUNDING IN THE  
AMOUNT OF \$65,000 FOR LEGAL COSTS RELATING TO DEFENDING THE  
BOROUGH AGAINST A COMPLAINT FILED WITH THE  
REGULATORY COMMISSION OF ALASKA**

**WHEREAS,** in 2008 the Kenai Peninsula Borough (“borough”) implemented a new Enhanced 911 system; and

**WHEREAS,** as a part of that upgrade the borough acquired and began administering technical infrastructure previously administered by a telecommunications carrier through contracts with the borough; and

**WHEREAS,** the borough also enacted Ordinance 2008-21 which adopted certain enhanced 911 standards and designated two selective router demarcation points for the purposes of 911 call delivery by telecommunications carriers; and

**WHEREAS,** in 2012 the Matanuska Telephone Association and Interior Telephone Company contacted the borough claiming that the borough should be responsible for the costs of delivering their customers’ E911 calls from their networks to the borough’s demarcation points; and

**WHEREAS,** attempts to settle this dispute since then have been unsuccessful and both companies recently filed formal complaints against the borough with the Regulatory Commission of Alaska seeking orders that the borough reimburse them for such costs incurred to date and be responsible for all future such costs; and

**WHEREAS,** telecommunications law requires specialized expertise to properly represent the borough’s interests; and

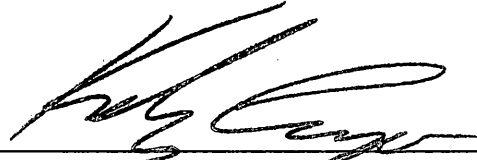
**WHEREAS,** the best interests of the borough would be served by providing funding necessary for this purpose;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That \$65,000 is appropriated from the borough general fund balance to account 100.11310.17RCA.43011, contract services, to cover legal costs associated with the complaint filed by MTA and ITC with the Regulatory Commission of Alaska against the Kenai Peninsula Borough.

**SECTION 2.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF APRIL, 2017.**

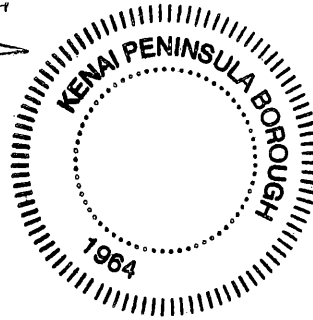


Kelly Cooper, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bagley, Dunne, Fischer, Hibbert, Holmdahl, Ogle, Schaefer, Welles, Cooper  
No: None  
Absent: None