

SYNOPSIS OF AN ORDINANCE GRANTING NEW HOPE TELEPHONE COOPERATIVE, INC., INCLUDING ITS WHOLLY OWNED SUBSIDIARY, NEW HOPE TELEPHONE COOPERATIVE LONG DISTANCE, INC., SUBJECT TO THE TERMS OF A FIRST AMENDED AND RESTATED FRANCHISE AGREEMENT, A NON-EXCLUSIVE FRANCHISE TO USE THE RIGHTS-OF-WAY TO CONSTRUCT, OPERATE AND/OR MAINTAIN A NETWORK WITHIN A DEFINED AREA OF THE CORPORATE LIMITS OF HUNTSVILLE, ALABAMA, TO PROVIDE BROADBAND SERVICE, VOIP SERVICE, AND TELECOMMUNICATIONS SERVICE.

1. On September 28, 2023, the City Council for the City of Huntsville, Alabama (“City”), adopted Ordinance No. 23-765, the purpose of which is to grant to New Hope Telephone Cooperative, Inc., including its wholly-owned subsidiary, New Hope Telephone Cooperative Long Distance, Inc. (collectively, “New Hope”), a non-exclusive franchise to use the rights-of-way in a defined franchise area within the corporate limits of the City to provide Broadband Service, VoIP Service and Telecommunications Service, subject to the terms of a First Amended and Restated Franchise Agreement (the “Franchise Agreement”). The Franchise Agreement amends and restates a prior franchise agreement between the City and New Hope, effective November 23, 2018, and reflects New Hope’s discontinuance of the provision of cable services. Under the Franchise Agreement, New Hope is to pay to the City, on a quarterly basis, a franchise fee of 5% of Gross Revenues, as defined in the Franchise Agreement. New Hope is also required, among other requirements, to indemnify the City, maintain insurance coverage, and post security. The effective date of the Franchise Agreement is 30 days after the date of publication, and, unless terminated or revoked sooner, the Franchise Agreement will expire on December 18, 2036, with an automatic extension of five years unless either Party notifies the other of non-extension.

2. A copy of Ordinance No. 23-765, together with the Franchise Agreement, may be obtained from the Office of the City Clerk of the City of Huntsville, Alabama, during normal business hours. Publication of this Synopsis is done by or at the direction of Shaundrika Edwards, City Clerk of the City of Huntsville, Alabama, and at the expense of New Hope Telephone Cooperative, Inc.

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