WHEREAS, Cities and Towns in Arkansas have the right to
determine the terms and conditions upon which a public utility
may occupy the streets of the City or Town, including the amount
and rate of the Municipal Franchise Tax, and

WHEREAS, the Arkansas Public Service Commission has the right
and duty to prohibit discrimination between utility ratepayers and
between municipalities, and

WHEREAS, in recognition of this problem, the PSC on March 2,
1979, did in Docket U-3013 set this matter for public hearing and
such public hearing was held on June 7, 1979, and

WHEREAS, at this hearing, many city officials appeared personally,
the Arkansas Municipal League filed written comments and League staff
members made personal appearances on behalf of all cities and towns
urging the PSC to establish a Uniform Municipal Utility Franchise
Charge of 4% of gross revenues to be rolled into the rates of all
utilities at the time they apply for a rate increase in the future,
and

WHEREAS, at the 45th Annual Convention of the Arkansas Municipal
League held in Hot Springs on November 6, 1979, the official delegates
from cities and towns all over Arkansas did unanimously urge the PSC
to adopt the 4% Uniform Charge for all utilities in Arkansas.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CONWAY, ARKANSAS.

Section 1. That we urge the Arkansas Public Service Commission
to establish a Uniform Municipal Franchise Charge of 4% on gross
revenues to be rolled into the rates of all utilities when the
utilities apply for a rate increase in the future.

Section 2. We sincerely believe that anything other than a
percentage is inequitable and any percentage less than 4% is
inadequate for municipal needs.

Section 3. Any attempt to take all franchise taxes out of
the base rates would make the Public Utility itself exempt from
all municipal taxes and charges for the use of Municipal Streets
and would give the Public Utility preferred status as a tax-exempt
private corporation and would discriminate against all other
businesses, individual taxpayers and against Municipal Governments.

Section 4. That we further urge the PSC to resolve this
question at the earliest possible time.

Section 5. The City Clerk is hereby directed to mail a copy
of this resolution to the Public Service Commission.

Date January 8, 1980
Signed Bill Wright
MAYOR

Attest [Signature] (CITY/CLERK)