

**MEETING**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

**WEDNESDAY, DECEMBER 12, 2007 2:30 P.M.**

**22 READE STREET, BOROUGH OF MANHATTAN**

**NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.**

*Franchise and Concession Review Committee Meeting –  
Wednesday, December 12, 2007*

**DEPARTMENT OF PARKS & RECREATION**

**No. 1:** IN THE MATTER of the intent to award a Sole Source License Agreement to Statue Cruises, LLC for the operation and maintenance of passenger ferries between Battery Park, Liberty Island and Ellis Island. This concession also includes the embarkation and discharge of passengers on sightseeing cruises and other ferry operations, including, but not limited to, day and evening charters of vessels, owned, operated or chartered by Statue Cruises, LLC at landing slips numbered 3, 4, and 5, and adjacent walkways located in Battery Park, Manhattan. The term shall commence upon written notice to proceed and shall expire upon the earlier of (i) ten years from notice to proceed, (ii) termination by Statue Cruises, LLC of this License Agreement upon an NPS directive, or (iii) termination of Statue Cruises, LLC's contract with the National Park Service. The compensation for the service will be an annual amount of \$2,000,000 versus 8% of gross receipts derived from operation of the Licensed Premises, whichever is greater, for the first five years of the agreement; and \$2,000,000 versus 8.5% of gross receipts derived from operation of the Licensed Premises, whichever is greater for the subsequent five years. This concession was procured through different procedures.

A proposed resolution was submitted, relative thereto.

**RESOLUTION FOR ADOPTION.**

## **DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

**No. 2:** IN THE MATTER of the intent to award of a non-exclusive mobile telecommunication services franchise to Lexent Metro Connect, LLC The Franchise Agreement will provide Lexent Metro Connect, LLC the non-exclusive right to install and use telecommunications equipment and facilities on City-owned and managed street light poles, traffic light poles, highway support poles and certain utility poles (as defined in 47 USC Section 224) in the City of New York.

A proposed resolution was submitted, relative thereto.

### **RESOLUTION FOR ADOPTION.**

## **DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

**No. 3:** IN THE MATTER of intent to award a non-exclusive mobile telecommunication services franchise to NextG Networks of NY, Inc. The Franchise Agreement will provide NextG Networks of NY, Inc., with the non-exclusive right to install and use telecommunication equipment and facilities on City-owned and managed street light poles, traffic light poles, highway support poles and certain utility poles (as defined in 47 USC Section 224) in the City of New York.

A proposed resolution was submitted, relative thereto.

### **RESOLUTION FOR ADOPTION.**

## **DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

**No. 4:** IN THE MATTER of the proposed amendment of Mobilitie, LLC's mobile telecommunication franchise agreement with the City of New York (the "Franchise") to include certain utility poles (as defined in 47 USC Section 224).

A proposed resolution was submitted, relative thereto.

### **RESOLUTION FOR ADOPTION.**

## **DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

**No. 5:** IN THE MATTER a proposed change of control of Dianet Communications, LLC and the amendment of Appendix F ("Ownership Structure") of the existing Franchise Agreement to reflect the aforementioned change.

A proposed resolution was submitted, relative thereto.

### **RESOLUTION FOR ADOPTION.**

**DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

**No. 6:**        **IN THE MATTER** of the proposed amendment of Dianet Communications, LLC's mobile telecommunication franchise agreement with the City of New York (the "Franchise") to include certain utility poles (as defined in 47 USC Section 224).

A proposed resolution was submitted, relative thereto.

**RESOLUTION FOR ADOPTION.**

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, DECEMBER 12, 2007

2:30 P.M.

22 READE STREET

NEW YORK, NY



142 Willis Avenue  
Mineola, NY 11501

305 Madison Avenue  
New York, NY 10165

## 1 THE PRESENT:

2 Cas Holloway, Mayor

3 Joey Koch, Office of the Mayor

4 Sharon Cantor, Corporation Counsel

5 Yvonne Quintain, Office of Management and Budget

6 Christian Stover, Clerk

7 Betsy Smith, NYC Department of Parks

8 Valerie Budzik, Comptroller

9 Robert Castallanete, Bronx Borough President

10 Fred Arriaga, Brooklyn Borough President

11 Jimmy Yan, Manhattan Borough President

12 Marc McMillan, Queens Borough President

13 Lee Covino, Staten Island Borough President

14 Terry McCray, President of Hornblower Yachts

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1 THE MAYOR: Good afternoon. Thanks  
2 everyone for being here. The Franchise  
3 Concession Review Committee will now come to  
4 order. Will the clerk please call the role.

5 THE CLERK: Mayor.

6 THE MAYOR: Here.

7 THE CLERK: Office of the mayor.

8 MR. GELLER: Here.

9 THE CLERK: Comptroller.

10 MS. BUDZIK: Here.

11 THE CLERK: Corporation counsel.

12 MS. CANTOR: Here.

13 THE CLERK: Office of management and  
14 budget.

15 MS. QUINTAIN: Here.

16 THE CLERK: President borough of  
17 Bronx.

18 MR. CASTELLANETE: Here.

19 THE CLERK: President borough of  
20 Brooklyn.

21 MR. ARRIAGA: Here.

22 THE CLERK: President borough of  
23 Manhattan.

24 MR. YAN: Here.

25 THE CLERK: President borough of



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1 Queens.

2 MR. McMILLAN: Here.

3 THE CLERK: President borough of  
4 Staten Island.

5 MR. COVINO: Here.

6 THE MAYOR: Thanks very much. Before  
7 the clerk calls the calendar, I'd just like to  
8 say, for the record, there are seven items on  
9 today's agenda, five of those items will be laid  
10 over -- no. I'm sorry. Six items on the  
11 agenda, four will be laid over until the January  
12 meeting. Those four are DOITT franchises for  
13 telephone poles, two are new and two are  
14 amendments to existing franchises. We will be  
15 voting on the parks issue having to do with the  
16 hornblower franchise concession and we will also  
17 be voting on a change and control action. That  
18 is calendar number five, I believe. With that,  
19 will the clerk please call the calendar.

20 THE CLERK: Department of Parks and  
21 Recreation, calendar item number one, in the  
22 matter of the intent to award a Sole Source  
23 License Agreement to Statue Cruises, LLC for the  
24 operation and maintenance of passenger ferries  
25 between Battery Park, Liberty Island and Ellis



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1 Island. This concession also includes the  
2 embarkation and discharge of passengers on  
3 sightseeing cruises and other ferry operations,  
4 including, but not limited to, day and evening  
5 charters of vessels, owned, operated or  
6 chartered by Statue Cruises, LLC at landing  
7 slips numbered 3, 4 and 5, and adjacent walkways  
8 located in Battery Park, Manhattan. The term  
9 shall commence upon written notice to proceed  
10 and shall expire upon the earlier of ten years  
11 from notice to proceed, termination by Statue  
12 Cruises, LLC of this License Agreement upon an  
13 NPS directive, or (iii), termination of Statue  
14 Cruises, LLC's contract with the National Park  
15 Service. The compensation for the service will  
16 be an annual of \$2,000,000 versus eight percent  
17 of gross receipts derived from operation of the  
18 Licensed Premises, whichever is greater, for the  
19 first five years of the agreement; and  
20 \$2,000,000 versus 8.5 percent of gross receipts  
21 derived from operation of the Licensed Premises,  
22 whichever is greater for the subsequent five  
23 years. This concession was procured through  
24 different procedures.

25 A proposed resolution was submitted,



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1 relative thereto. Resolution for adoption.

2 THE MAYOR: Thank you.

3 Is there a member who wishes to make  
4 a statement or ask a question on this matter?

5 MS. BUDZIK: The comptroller's office  
6 has a couple of questions on this matter. We  
7 were concerned with this concession, and those  
8 concerns, they were primarily related to labor  
9 issues that had been brought to our attention  
10 with respect to hornblower's concession in  
11 California, provide services to Alcatraz. We  
12 had asked Parks to look into that matter and I  
13 understand Parks has done so, if they would just  
14 report to the committee, the diligence they did  
15 on the labor issues, and also hornblower's  
16 ability to perform the services required under  
17 this concession agreement.

18 MS. SMITH: Betsy Smith from the  
19 Parks Department. Upon hearing of the  
20 comptroller's concern and I believe also the  
21 borough president's concern, we did reach out to  
22 the management of hornblower to discuss these  
23 issues. We did find that they were not at all  
24 hostile to the issue of labor unions and in fact  
25 have many labor union workers in their current



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1 facilities. They also assured us that there is  
2 a management team in place now looking at labor  
3 issues with regard to new harbor cruises, that  
4 their intent is to hire as many of the Circle  
5 Line employees they can as possible and  
6 appropriate and that wages will be at the  
7 prevailing rate. Now, this was a general  
8 conversation. It was our impression that the  
9 management of hornblower took our concern  
10 seriously and we're taking steps to address a  
11 number of the things that had been brought up.  
12 So that was the substance of our conversation.

13 MS. BUDZIK: I mean, we appreciate  
14 Parks' efforts.

15 And would horn blowers like to make  
16 a statement?

17 SPEAKER: We would. Thank you.  
18 Thank you, committee members. First of all,  
19 we're looking forward to the opportunity to do  
20 business in your fine city.

21 THE MAYOR: Identify yourself for the  
22 record.

23 SPEAKER: Terry McCray (phonetic).  
24 I'm the president of Hornblower Yachts, which is  
25 the parent company of Statue Cruises, LLC, the



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1 company that would be signatory to this  
2 agreement. So with respect to the questions on  
3 labor, we were awarded the concession in San  
4 Francisco to serve Alcatraz about, I don't know,  
5 September 2006 is when it commenced, the award  
6 was sometime in the summer of 2005 and there was  
7 lots of disputes and lots of discussion from the  
8 company that failed to win the concession.  
9 There's apples and oranges between those two  
10 markets because in San Francisco we had an  
11 existing work force that was very interested in  
12 the growth of the company so we were not as keen  
13 on hiring the existing concession employees.  
14 The existing concessioner also had some quality  
15 issues so we didn't want to just transfer those  
16 issues into our organization. Notwithstanding  
17 that, we worked diligently to try to come to an  
18 agreement with organized labor in San Francisco,  
19 the ospisis of the mayor and Congresswoman, now  
20 Speaker -- everybody was active in trying to  
21 find an agreement. We didn't find that  
22 agreement. We opened up in September with a new  
23 work force, which is about 25 percent came from  
24 the old concessioner and about 50 percent came  
25 from our team. Lots of press about it; at the



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1 end of the day we have a great work force, our  
2 labor relations are -- Parks is very happy with  
3 what we accomplished. There were also disputes  
4 in that particular concession because when it  
5 was first advertised, prevailing wage was not  
6 part of the, of the prospectus. After the  
7 award, the issue of prevailing wage came up and  
8 a federal judge determined the prevailing wages  
9 would apply and so they became applicable to our  
10 contract. Meanwhile on a parallel path in New  
11 York, the prospectus for Statue of Liberty is  
12 coming along, so whatever is being learned in  
13 San Francisco is of course being incorporated to  
14 the Statue of Liberty prospectus. To start off,  
15 we don't have any of those same issues going on  
16 in New York. I'm not saying there aren't any  
17 other issues or challenges, but the issues that  
18 we had in San Francisco are not the issues in  
19 New York. That being said, when Parks and Rec  
20 asked us to come in and chat about the labor  
21 situations, so to speak, or the labor concerns  
22 that were raised, we did revisit it and I can  
23 make a similar report to you, number one,  
24 hornblower is not anti-union, we have union  
25 operations, we have non-union operations. We



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1 operate in about 25 cities, we have almost a  
2 thousand employees and many of those are with,  
3 represented by organized labor. The contract  
4 for the Statue of Liberty from the National  
5 Parks Service does have a prevailing wage  
6 provision in it, so there's no circumstance  
7 whereby, you know, we won't be picking up the  
8 prevailing wages and benefits that belong to the  
9 work force. We also have had great dialogue  
10 with the current union that represents the  
11 existing work force because, as I said before,  
12 in New York we don't have an existing work  
13 force. We're new to this market. We have great  
14 hopes about the opportunities in New York, but  
15 we will need a work force here and so most of  
16 our dialogue with that union has been about  
17 hiring a lot of the existing workers. We're  
18 represented here by competent and loyal counsel  
19 and we've had lots of good collective bargaining  
20 sessions and I expect that within, I don't think  
21 weeks, but probably days, we will have a good  
22 agreement that we're all happy with. So that  
23 being said, of course ultimately it's the  
24 worker's responsibility to choose how they're to  
25 be represented and so that process will have to



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1 take its course. But I think all of the things  
2 are in place to accomplish the objectives that  
3 the comptroller's office and the Manhattan  
4 borough president raise with respect to labor  
5 and labor peace and prevailing wages and all the  
6 other things. I'm excited it doesn't appear to  
7 be an issue here. We'd like to move on and  
8 provide the guest services and the other things  
9 that our company is known for. If there are  
10 more specific questions, I'd be happy to --  
11 those, if that doesn't cover the basis for you.

12 MS. BUDZIK: I have no further  
13 questions. We did some of our own diligence and  
14 your statements there do reflect what we were  
15 hearing from representatives of the workers on  
16 the current -- thank you.

17 MR. YAN: On behalf of Manhattan  
18 borough president, I want to say that the  
19 comptroller's concern is about past labor  
20 issues, so we'd really appreciate Parks  
21 Department's great responsiveness to our  
22 concerns and hornblower's responsiveness as  
23 well, especially in reaching out to us to talk  
24 about our concerns so we're very happy to hear  
25 your explanation and how the same issues, were



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1 not, were not applicable to New York City. In  
2 addition to the labor concerns, the borough  
3 president also has some concerns about some  
4 environmental issues raised with your contract  
5 in the bay area, typically issues about your  
6 commitments that you made to lowering -- rates  
7 with your ferries and creating a new hybrid  
8 energy ferry. So if you could comment on what  
9 those issues really mean for your bay area  
10 contract, what sort of environmental  
11 requirements you will be subject to here in New  
12 York City. And then finally, I understand that  
13 you, your company has taken on a lot of  
14 initiative with putting additional environmental  
15 standards beyond what your legal requirements  
16 are. So I'm hoping you can comment on all of  
17 those things.

18 MR. McCRAY: Okay. First of all,  
19 we're proud of our environmental record. As you  
20 know, with the National Parks Service contract  
21 Congress asked those contracts to be bid and  
22 competed and somewhere between 30 and 40 percent  
23 of the point value, if you will, in evaluating  
24 one of those awards is about quality,  
25 environmental quality control, environmental



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1 storageship and things that go with that. The  
2 fact that we were successful in winning both of  
3 these contracts through the rugged Parks Service  
4 Concession contract, you can count on the fact  
5 that they are a lot of initiatives and being  
6 that they hold them dear and that we are  
7 performing in those. The comments about our  
8 performance in San Francisco are more sour  
9 grapes than anything else from the folks that  
10 didn't win the concessions or from some of the  
11 labor discussions that we had earlier. When you  
12 initiate new technology, especially if it  
13 involves building a new boat, it's not something  
14 you show up with on the day one. Some of these  
15 boats cost between five and ten million dollars,  
16 and there's an entire process with the coast  
17 guard, designed and constructed to meet all the  
18 standards. The contract in San Francisco has a  
19 two-year lead time before the high tech boats,  
20 what we call hybrid boats have to be in service.  
21 So the complaints that we haven't done it came  
22 during year one and it's not an obligation to  
23 have it until the end of year two. So from a  
24 practical standpoint, we are on track. Parks  
25 services is fully in sync with the process of



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1 getting designed and built. The other thing is  
2 all these environmental initiatives are approved  
3 by the Parks service and sometimes as you move  
4 forward on one, they want to change direction a  
5 little bit so sometimes that produces delays.  
6 We did start up in San Francisco with tier-two  
7 engines, low sulfur fuel which is the lowest  
8 commercially available emission output, we have  
9 lighter weight boats that produce significantly  
10 less emissions so right out -- about 85 percent  
11 reduced emissions from the previous concession.  
12 I think that's probably enough on San Francisco.  
13 With respect to the New York operation, many of  
14 you may know that we have an obligation to  
15 acquire the existing fleet from Circle One.  
16 That process is not a certain process because  
17 there's a price negotiation and an arbitration  
18 provision of prices not agreed on and so that's  
19 the phase that that process is in right now.  
20 Meanwhile, we will start up on January 1 with  
21 vessels that come from different locations,  
22 couple of them are chartered from New England,  
23 we have some from the west coast and a couple  
24 from this market. Some of the environmental  
25 initiatives that we provide and offer in our bid



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1 prospectus, in our bid to the park service  
2 include taking the Circle Line fleet and  
3 upgrading it, replacing all the engines with  
4 lower emission engines as an example, increase  
5 fuel efficient engines, reducing the drag on the  
6 vessels, changes the type of paints on the  
7 vessels, getting rid of things like wood benches  
8 that have to be painted and sanded every year  
9 that produce -- lots of initiatives with respect  
10 to recycling, environmental quality, healthy  
11 food choices in the snack bar that are  
12 environmentally related. So there's a whole  
13 range of things that go with this. Again, it's  
14 a key issue with the Parks service in selecting  
15 somebody. We do have one unique system that we  
16 like to talk about and that's a system we call  
17 Respect Our Planet, which is a combination of  
18 environmental stewardship, quality control and  
19 health and safety. It's an integrated  
20 management system. You can find it on our  
21 website or -- about it any time you want and  
22 it's essentially a management system that  
23 ensures all three of those things work in  
24 concert so you don't have great environmental  
25 stewardship and bad guest service -- great guest



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1 service and bad safety for your guests and your  
2 crew. So those things all work in concert for  
3 us in a program called Respect our Planet. The  
4 last area that you spoke about is a unique  
5 vessel here in the New York Harbor. The hybrid  
6 vessel that we're building in San Francisco we  
7 didn't feel was appropriate for this harbor. It  
8 has a large sail and a lot of solar panels, its  
9 aluminum vessel. We felt the market here was  
10 slightly different. It wouldn't appreciate the  
11 solar and the sail as much as San Francisco  
12 would. So we have a different type of vessel  
13 here, what we think of hybrid I'd like to  
14 explain out by saying, it's a Toyota Prius on  
15 steroids on the water. So this is a vessel that  
16 uses the grid any time it can at the dock, which  
17 is the lowest emission possible to charge its  
18 batteries. It's a vessel that will evolve to  
19 probably five, seven years from now, it will  
20 probably be fuel cell driven instead of battery  
21 powered and it does have for safety purposes,  
22 diesel standby generators on board in the event  
23 that circumstances require backup systems. Here  
24 again, that vessel is something that will take  
25 at least two years to design, get approved by

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1 the Coast Guard and get into the marketplace.  
2 That vessel is intended to provide some service  
3 to the Statue of Liberty, but it's also -- Park  
4 Service that that vessel would offer what they  
5 call an island cruise, which is a chance to get  
6 close to Ellis Island and the Statue of Liberty  
7 and perhaps Governor's Island and maybe serve,  
8 you may want to go to New Jersey on a boat. So  
9 there's a lot of different things with that  
10 unique -- highly environmentally friendly  
11 vessel. And you will see more about that as  
12 time goes on because it's a great thing to talk  
13 about and the guests will like it. So I think I  
14 covered your questions. Sir, if you have  
15 anymore specifics that I can respond to, I'd be  
16 happy to try to do that.

17 MR. YAN: Thank you so much for  
18 taking the time to go through that detail,  
19 especially to amend your initiative with respect  
20 your planet program where you integrate  
21 environmental issues and to the performance of  
22 your company and operations. So thank you for  
23 that.

24 MR. McCRAY: Thank you very much,  
25 sir.



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1 THE MAYOR: And thanks very much for  
2 coming in and providing such a thorough response  
3 to these questions.

4 Any other statements or questions on  
5 this matter? If not, is there a member who  
6 would move?

7 MR. McMILLAN: Yes.

8 THE MAYOR: Is there a second?

9 MS. QUINTAIN: Yes.

10 THE CLERK: Mayor.

11 THE MAYOR: Yes.

12 THE CLERK: Office of the mayor.

13 MR. KOCH: Yes.

14 THE CLERK: Corporation counsel.

15 MS. CANTOR: Yes.

16 THE CLERK: Office of management and  
17 budget.

18 MS. QUINTAIN: Yes.

19 THE CLERK: President borough of  
20 Manhattan.

21 MR. YAN: Yes.

22 THE CLERK: Final calendar, six votes  
23 in favor of the proposed resolution. Calendar  
24 item number one, resolution adopted.

25 THE MAYOR: Thanks. Thank you very



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1 much. And as I noted at the beginning, we're  
2 going to lay some items over. But for  
3 procedural reasons, we will read those items  
4 into the record and note the layover until  
5 January. So we are going to ask the clerk to  
6 proceed to the next calendar item.

7 THE CLERK: Department of Information  
8 Technology and Telecommunications, calendar item  
9 number two, in the matter of the intent to award  
10 a non-exclusive mobile telecommunication  
11 services franchise to Lexent Metro Connect, LLC,  
12 The Franchise Agreement will provide Lexent  
13 Metro Connect, LLC the non-exclusive right to  
14 install and use telecommunications equipment and  
15 facilities on City-owned and managed street  
16 light poles, traffic light poles, highway  
17 support poles and certain utility poles (as  
18 defined in 47 USC Section 224) in the City of  
19 New York, however, this item will be held over  
20 to the FCRC meeting schedule for Wednesday,  
21 January 9, 2007.

22 THE MAYOR: 2008.

23 THE CLERK: 8. Thank you.

24 Department of Information Technology  
25 and Telecommunications, calendar item number



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1 three, in the matter of intent to award a  
2 non-exclusive mobile telecommunications services  
3 franchise to NextG Networks of NY, Inc., with  
4 the non-exclusive right to install and use  
5 telecommunication equipment and facilities on  
6 City-owned and managed street light poles,  
7 traffic light poles, highway support poles and  
8 certain utility poles (as defined in 47 USC  
9 Section 224) in the City of New York. However,  
10 this item will also be held over to the FCRC  
11 meeting for Wednesday, January 9, 2008.

12 Department of Information of  
13 Technology and Telecommunications, calendar item  
14 number four, in the matter of the proposed  
15 amendment of Mobilitie LLC's mobile  
16 telecommunication franchise agreement with the  
17 City of New York to include certain utility  
18 poles as defined in 47 USC Section 224. This  
19 item will be held over to the FCRC meeting  
20 scheduled for Wednesday, January 9, 2008.

21 Department of Information Technology  
22 and Telecommunications, calendar item number  
23 five, in the matter of a proposed change of  
24 control of Dianet Communications, LLC and the  
25 amendment of Appendix F, ("Ownership Structure")



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1 of the existing Franchise Agreement to reflect  
2 the aforementioned change. A proposed  
3 resolution was submitted, relative thereto.  
4 Resolution for adoption.

5 THE MAYOR: Thank you.

6 Is there a member who wishes to ask a  
7 question or make a statement on this item? If  
8 not, do I have a motion?

9 MR. COVINO: Yes.

10 THE MAYOR: Is there a second?

11 MR. YAN: Yes.

12 THE CLERK: Mayor.

13 THE MAYOR: Yes.

14 THE CLERK: Office of the mayor.

15 MR. KOCH: Yes.

16 THE CLERK: Comptroller.

17 MS. BUDZIK: Yes.

18 THE CLERK: Corporation counsel.

19 MS. CANTOR: Yes.

20 THE CLERK: Office of management and  
21 budget.

22 MS. QUINTAIN: Yes.

23 THE CLERK: On behalf of the borough  
24 president, president borough of Bronx.

25 MR. CASTELLANETE: Yes.



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1 THE CLERK: The final count is six  
2 votes in favor of the proposed resolution,  
3 calendar item number five, resolution adopted.

4 Department of Information Technology  
5 and Telecommunications, calendar item number  
6 six, in the matter of the proposed amendment of  
7 Dianet Communications, LLC's mobile  
8 telecommunications franchise agreement with the  
9 City of New York to include certain utility  
10 poles (as defined in 47 USC Section 224). This  
11 item will be held over to the FCRC meeting  
12 scheduled for January 9, 2008.

13 THE MAYOR: Okay. I guess that  
14 concludes today's calendar. This meeting is  
15 closed. And I guess we'll see everybody  
16 tomorrow.

17 (Time noted: 3:04 p.m.)  
18  
19  
20  
21  
22  
23  
24  
25



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C E R T I F I C A T I O N

I, SHANASIA ILGNER, a Shorthand Reporter and Notary Public, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes.

I further certify that I am not employed by nor related to any party to this action.

*Shanasia Ilgner*

SHANASIA ILGNER

*SI*



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