----X PUBLIC HEARING FRANCHISE AND CONCESSION REVIEW COMMITTEE ----X 2 Lafayette Street 14th Floor Auditorium New York, New York 10007 Monday, November 6, 2017 2:35 p.m.

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      APPEARANCES:
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      Mayor:
      Peter Hatch
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      Clerk:
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      Stephanie Ruiz
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      Office of the Mayor:
      Benjamin Furnas
6
      Corporation Counsel:
7
      Sharon Cantor
      Office of Management and Budget:
8
      Yvonne Quintian
9
      Comptroller:
10
      Jennifer Conovitz
11
      Department of Information Technology and
      Telecommunications:
12
      Tanessa Cabe
13
      Borough President of Brooklyn:
      Tonya Cantlo-Cockfield
14
      Borough President of Manhattan:
15
      James Caras
16
      Borough President of Staten Island:
      Lashay Young
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PROCEEDINGS 1 MR. HATCH: Good afternoon. 2 The 3 Public Hearing will now come to order. 4 Will the Clerk please call the role? 5 THE CLERK: Mayor? THE MAYOR: Here. 6 7 THE CLERK: Office of Mayor? 8 MR. FURNAS: Here. 9 THE CLERK: Comptroller? 10 MS. CONOVITZ: Here. 11 THE CLERK: Corporation Counsel? 12 MS. CANTOR: Here. 13 THE CLERK: Office of Management and 14 Budget? 15 MS. QUINTIAN: Here. 16 THE CLERK: Borough President of the 17 Bronx? 18 (No response.) 19 THE CLERK: Borough President of 20 Brooklyn? MS. CANTLO-COCKFIELD: Here. 21 22 THE CLERK: Borough President of 23 Manhattan? 24 MR. CARAS: Here. 25 THE CLERK: Borough President of

1 Oueens? 2 (No response.) THE CLERK: Borough President of 3 Staten Island? 4 MS. YOUNG: Here. 5 MR. HATCH: Welcome to this Public 6 7 Hearing of the Franchise and Concession 8 Review Committee. The hearing being 9 conducted today has been publicly 10 advertised in accordance with the New York City Charter and Concession Rules 11 of the City of New York. 12 13 We want to be sure that anyone 14 desiring to be heard has an opportunity 15 to do so. All persons wishing to speak 16 must fill out a request slip, which may 17 be obtained from the Clerk. Each speaker will be allotted approximately 18 19 three minutes. When you testify, please 20 state your name and affiliation, if any. 21 Will the Clerk please call the first 22 calendar item? 23 THE CLERK: New York City Department 24 of Information Technology and 25 Telecommunications, Calendar Item Number

1	One: In the matter of the intent to seek
2	Franchise and Concession Review
3	Committee approval of a proposed
4	assignment of an information services
5	franchise agreement between the City of
6	New York and Metro Fiber Co., LLC, or
7	Metro, doing business as Axiom Fiber
8	Networks, whereby Metro proposes to
9	assign its assets, including its
10	franchise agreement, to ExteNet Systems
11	New York, Inc.
12	MR. HATCH: We will take testimony
13	from the public, but first we'd like to
14	ask any members of the Committee if they
15	have statements.
16	MS. CONOVITZ: (Indicating.)
17	MR. HATCH: We have one.
18	MR. CARAS: (Indicating.)
19	MR. HATCH: Two. Shall we begin
20	with the Comptroller?
21	MS. CONOVITZ: Sure. First, we want
22	to thank DoITT for working with us
23	concerning the assignment of these
24	franchise agreements. Based on our
25	conversations and discussions with DOIT,

we understand that DoITT has also 1 conducted due diligence concerning 2 ExteNet Systems, Inc., the parent of 3 ExteNet Systems New York, Inc. 4 5 As a result, we understand that DoITT will revise the relevant responsibility 6 7 of determination accordingly. We further understand that the resolution 8 that comes before this committee on this 9 10 matter may be amended. Thank you. 11 MR. HATCH: Thank you. Next, we'd 12 like to recognize the Manhattan Borough 13 President. 14 MR. CARAS: This was in the nature 15 of a question, I guess. I just wanted 16 to make sure that we had gotten all of 17 the information outlined in the franchise agreement, in terms of for 18 19 approving a transfer and especially the financial situation of the transferee 20 21 and information regarding any potential 22 impact on customers and that the data 23 had been reviewed and that was all 24 satisfactory regarding abilities of 25 ExteNet.

MS. CABE: DoITT did review a 1 financial document submitted by the new 2 franchisee, and we were satisfied that 3 they have the financial ability to take 4 5 over the franchise agreement. We also believe that the customers will be -- it 6 7 will be a seamless transition for the customers. We have information about 8 9 the management of the new franchisee, 10 and we were satisfied they would be able 11 to take it on. 12 MR. CARAS: Okay. Thanks. 13 MR. HATCH: Does anyone else wish to 14 testify? 15 (No response.) 16 THE MAYOR: If no one else wishes to 17 speak, will the Clerk please call the 18 second calendar item? 19 THE CLERK: New York City Department 20 of Information Technology and Telecommunications, Calendar Item Number 21 Two: In the matter of the intent to seek 22 23 Franchise and Concession Review 24 Committee approval of a proposed 25 assignment of a telecommunications

1 services franchise agreement between the City of New York and Metro Fiber Co., 2 LLC, or Metro, doing business as Axiom 3 Fiber Networks, whereby Metro proposes 4 5 to assign its assets, including its franchise agreement, to ExteNet Systems 6 7 New York, Inc. 8 MR. HATCH: Does anyone on the committee wish to make a statement on 9 10 this item? 11 MS. CONOVITZ: I'd just like to 12 state that our comment with respect to 13 the first matter is equally relevant 14 with respect to the second item. MR. HATCH: 15 Thank you. Anyone else? MR. CARAS: I would assume that was 16 17 the case. 18 MR. HATCH: Excellent. Would anyone 19 else like to testify? 20 (No response.) MR. HATCH: If no one else wishes to 21 22 speak, that concludes today's hearing. 23 We ask that the reporter make the entire 24 Public Hearing agenda, which was made 25 publicly available and distributed at

this hearing, part of the final record of the proceeding. The hearing is now closed. Thank you. (TIME NOTED: 2:40 p.m.)

1 CERTIFICATE 2 STATE OF NEW YORK) 3 4 ss: 5 COUNTY OF NEW YORK) 6 7 I, Danielle Rivera, a shorthand reporter within and for the State of New York, do hereby 8 9 certify that the within is a true and accurate transcript of the statement taken on November 6, 10 11 2017. 12 I further certify that I am not related to 13 any of the parties to this action by blood or by 14 marriage, and that I am in no way interested in 15 the outcome of this matter. 16 IN WITNESS WHEREOF, I have hereunto set 17 my hand this 6th day of November 2017. 18 19 20 DANIELLE BIVERA 21 22 23 24 25

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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, NOVEMBER 6, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

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 HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

Franchise and Concession Review Committee Joint Public Hearing Monday, November 6, 2017 @ 2:30 P.M.

NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

No. 1: IN THE MATTER of the intent to seek Franchise and Concession Review Committee approval of a proposed assignment of an information services franchise agreement between the City of New York and Metro Fiber Co., LLC ("Metro"), doing business as Axiom Fiber Networks, whereby Metro proposes to assign its assets, including its franchise agreement, to ExteNet Systems (New York), Inc.

<u>NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY</u> <u>AND TELECOMMUNICATIONS</u>

No. 2: IN THE MATTER of the intent to seek Franchise and Concession Review Committee approval of a proposed assignment of a telecommunications services franchise agreement between the City of New York and Metro Fiber Co., LLC ("Metro"), doing business as Axiom Fiber Networks, whereby Metro proposes to assign its assets, including its franchise agreement, to ExteNet Systems (New York), Inc.