

**CALENDAR ITEM
C52**

A 35
S 17

02/21/14
PRC 8144.1
D. Oetzel

REVISION OF RENT

LESSEE:

AT&T Corporation
3D151 F, 1 AT&T Way
Bedminster, NJ 07921

AREA, LAND TYPE, AND LOCATION:

5.56 acres, more or less, of sovereign lands in the Pacific Ocean, near the community of Los Osos, San Luis Obispo County.

AUTHORIZED USE:

Continued use and maintenance of a fiber optic cable contained within a five-inch diameter steel conduit that is a portion of Segment 5 of the AT&T Asia-America Gateway (AAG) fiber optic system.

LEASE TERM:

10 years, beginning March 2, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$65,400 per year to \$70,996 per year, effective March 2, 2014.

OTHER PERTINENT INFORMATION

1. On March 2, 2009, the Commission authorized a ten-year General Lease – Right of way Use with AT&T Corporation, for the installation, use and maintenance of a portion of Segment 5 of the AT&T Asia America Gateway fiber optic cable to be placed into an existing five-inch diameter steel conduit; the lease commenced on March 2, 2009.
2. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and

CALENDAR ITEM NO. **C52** (CONT'D)

is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

CEQA FINDING:

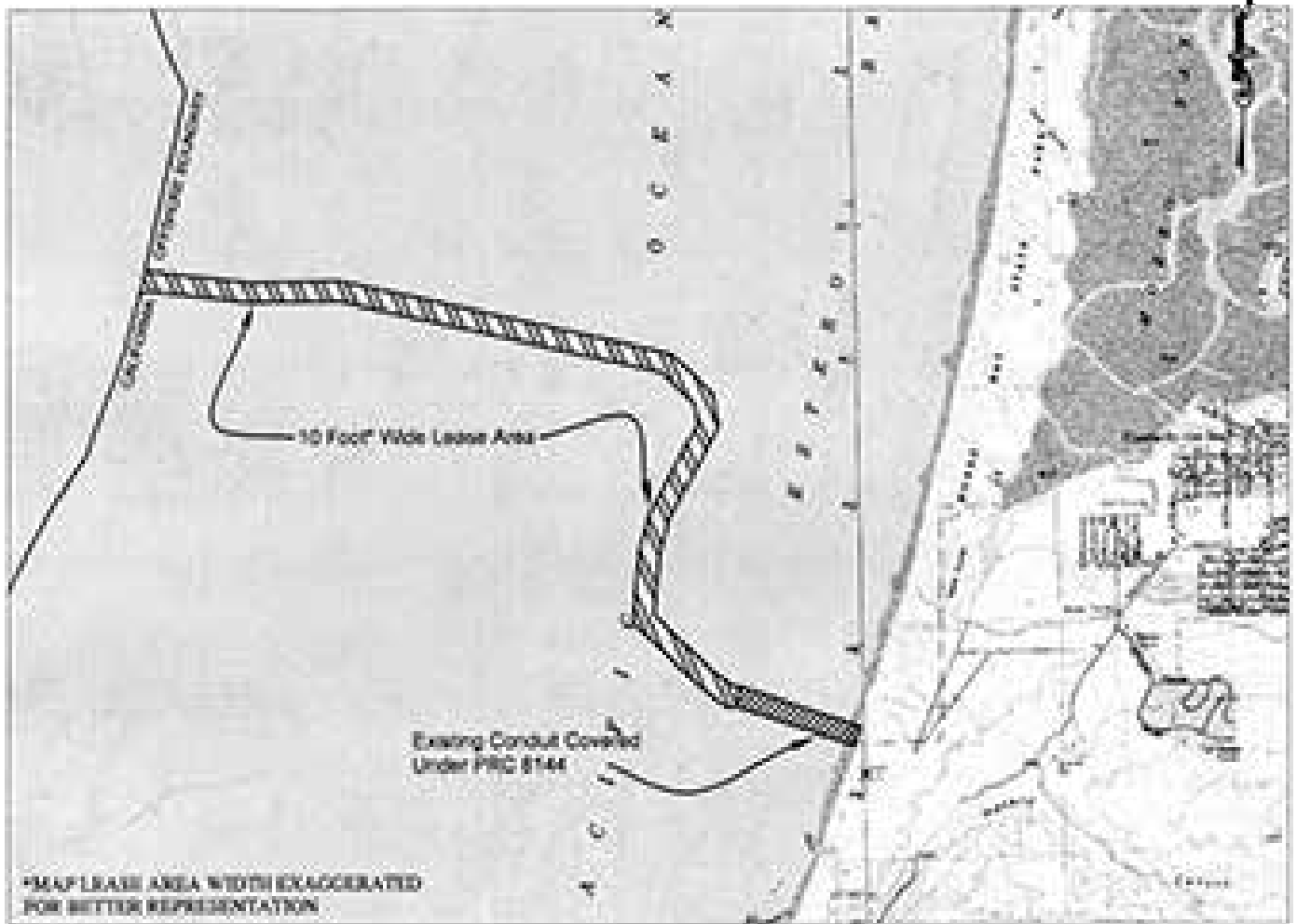
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 8144.1 from \$65,400 per year to \$70,996 per year, effective March 2, 2014.

NO SCALE

SITE



PROPOSED AT&T ASIA AMERICA GATEWAY FIBER OPTIC CABLE PROJECT

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 8144.1
 AT&T CORP.
 APN 074-021-040
 GENERAL LEASE -
 RIGHT-OF-WAY USE
 SAN LUIS OBISPO CO.



SITE