

**STAFF REPORT
C48**

A 5, 21, 23

S 8, 12

12/03/18
PRC 8014.1
S. Evans

REVISION OF RENT

LESSEE:

Time Warner Telecom California, L.P.

AREA, LAND TYPE, AND LOCATION:

0.30 acres, more or less, of sovereign land in the San Joaquin River, Laird Slough, Tuolumne River, and Merced River, near Grayson, Herndon, Atwater, and the city of Modesto, in the counties of Stanislaus, Madera, Fresno, and Merced.

AUTHORIZED USE:

Continued use and maintenance of an 8-inch-diameter steel black iron pipe casing containing six 2-inch-diameter high-density-polyethylene conduit ducts with fiber-optic cable within four of the six ducts.

LEASE TERM:

25 years, beginning February 1, 1998.

CONSIDERATION:

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be revised from \$2,700 per year to \$3,050 per year, effective February 1, 2019.

OTHER PERTINENT INFORMATION:

1. On February 27, 1998, the Commission authorized a General Lease – Right-of-Way Use to GST Telecom California, Inc., Time Warner Telecom California, L.P.'s, predecessor-in-interest, for a term of 25 years beginning February 1, 1998 ([Item C33, February 27, 1998](#)). The lease will expire on January 31, 2023.
2. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.

STAFF REPORT NO. **C48** (CONT'D)

3. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

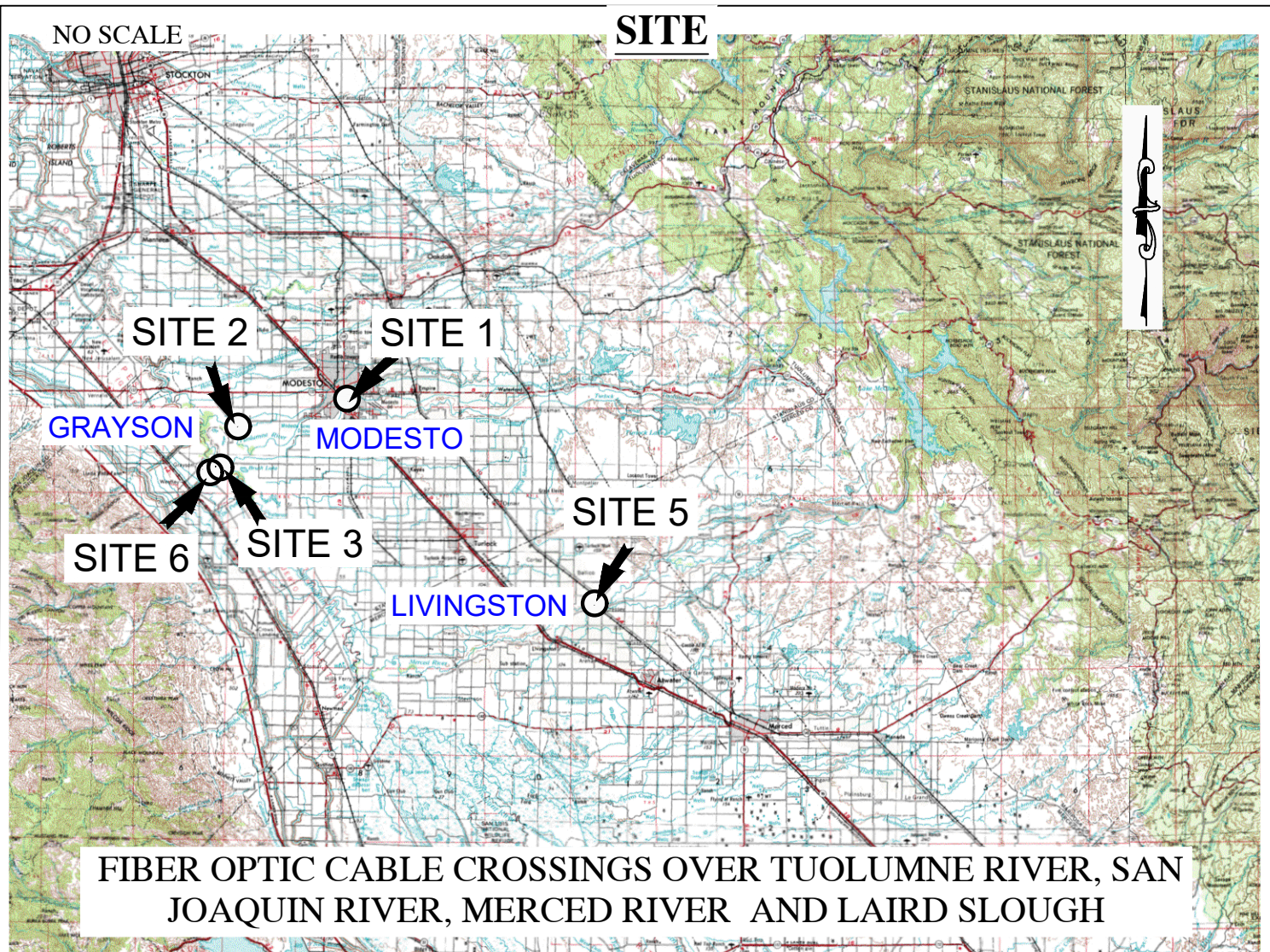
- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

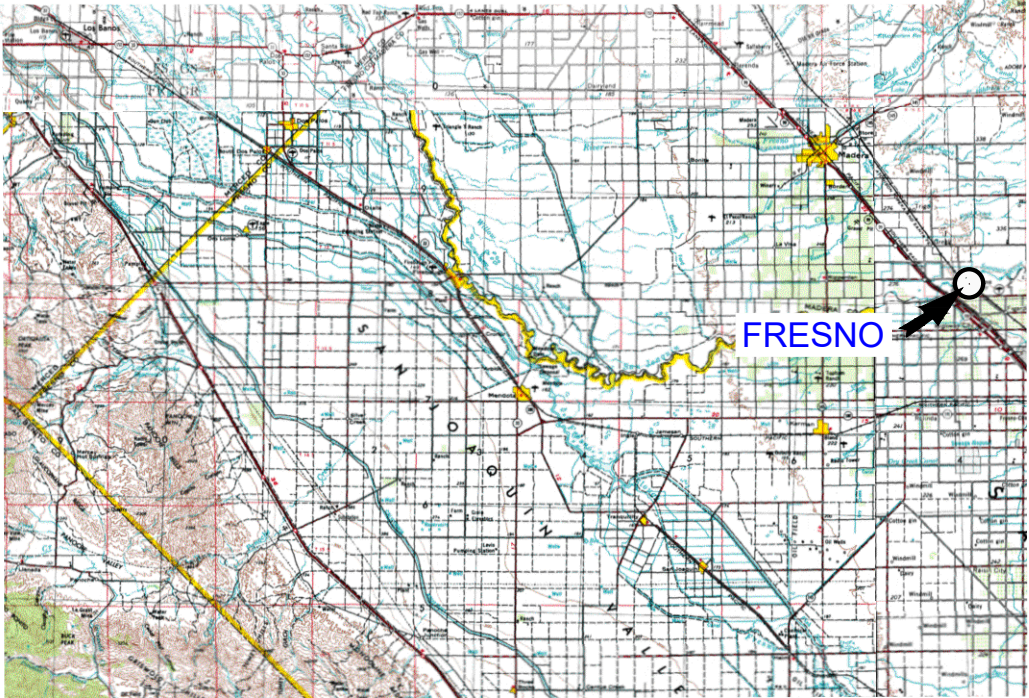
AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 8014.1 from \$2,700 per year to \$3,050 per year, effective February 1, 2019.



FIBER OPTIC CABLE CROSSINGS OVER TUOLUMNE RIVER, SAN JOAQUIN RIVER, MERCED RIVER AND LAIRD SLOUGH

Exhibit A
 PRC 8014.1
 TIME WARNER TELECOM
 OF CALIFORNIA, L.P.
 GENERAL LEASE -
 RIGHT-OF-WAY USE
 STANISLAUS, MERCED,
 MADERA, FRESNO
 COUNTIES



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.

MAP SOURCE: USGS QUAD