

CITY OF MOUNT VERNON POLICY REGARDING THE MOUNT VERNON FIBER SYSTEM	
Mount Vernon Fiber System	Policy Number: MVF-02 Number of Pages: 3
Authority: Chapter 35A RCW	
Subject: Mount Vernon Fiber System Grievance Policy	
Supersedes: N/A Supplements existing practice and rules	
Signature of Issuing Authority: Mayor	

Finding:

The City finds that it has a number of license agreements with service providers allowing them to utilize the City of Mount Vernon’s Fiber System subject to the terms and conditions found within these agreements. While such agreements may contain dispute resolution term or remedies, the City finds it is in the best interest of the Mount Vernon Fiber System to adopt a grievance procedure to offer service providers supplemental to existing agreements. In the event this policy is inconsistent or contrary to any agreement between the City and a service provider, the agreement shall govern.

City of Mount Vernon Fiber Network Grievance Procedures.

This policy outlines the City’s complaints escalation process regarding “Provider Disputes” involving the Mount Vernon Fiber System (MVFS).

Provider Disputes are defined as: a disagreement between a party granted rights to utilize the MVFS by the City (the “Provider”) and the City’s Informational Services Department Fiber Division (the “Parties”) over unreasonable discrimination regarding City’s provisions of general levels of service it is required to provide under existing agreements including but not limited to complaints involving disproportionate or unequal treatment or implementation of City policies or agreement terms where Provider can show that they have been treated differently from other Providers whose i) facilities are similarly situated in terms of: 1) structure, 2) placement, or 3) cumulative impacts, and ii) services are functionally equivalent, and iii) agreements are similar in nature and terms. In the event these provisions conflict with any and all dispute resolution terms or remedies set in any agreements, such agreements shall control unless mutually waived by the Parties. It shall be the Provider’s burden to prove all allegations of unreasonable discrimination under the terms of the Agreement.

Please follow the steps below to raise and escalate your complaint.

Step 1: First Contact

To begin any complaint, please contact the City through any of the means listed under “Contact Us” at the end of this document. Calling us is recommended for the swiftest response.

You will receive acknowledgement of your complaint (including a reference number) within 3 business days if you make your complaint via email or in writing. Please note that complaints sent via postal mail are subject to the delivery timeframes of the postal service. For complaints lodged in person or via the telephone, acknowledgement and your reference number can be provided immediately.

City will provide a written response to your complaint in approximately 7 business days but no longer than 30 business days depending on the complexity and scope of the complaint and information provided in the complaint. City shall in its response may: 1) request more information from the complainant to evaluate the merits of the complaint and/or, 2) deny the complaint stating the reasons therefore, and/or 3) propose a resolution.

Once a resolution is mutually accepted, the City will aim to deliver the resolution to you within 2-10 business days depending on the nature of its complexity.

Step 2: Escalating Your Complaint to NOANet

If the City representative is not able resolve a complaint, we will escalate it to NoaNet within 5 business days after the City's final response either denying the complaint or proposing a resolution that is rejected by the Provider.

A NOANet executive shall review the complaint, City's response, and all information submitted and shall respond: 1) denying the complaint, and/or 2) requesting more information, and/or 3) proposing a resolution.

The executives, which may be assigned to render a grievance decision, are as follows:

- a: Dave Spencer; or
- b: Greg Marney

It shall be the sole discretion of NOANet to determine which official shall be assigned to render a grievance decision.

Step 3: Further options

You will find the majority of matters can be handled by the City and/or NoaNet's internal processes and we do ask that you first allow us the opportunity to exhaust all avenues in resolving your complaint. However, if you are not satisfied with our handling of your complaint and you have escalated this within NoaNet, as a last resort you may seek complaint mediation or further assistance from the Telecommunications Industry Ombudsman or the Washington Fair Trading Department.

Contact Us

Mount Vernon Fiber Technician
Dale Morgan
Phone: 360-419-3240

Email: mvfiber@mountvernonwa.gov;

Approved by:

A handwritten signature in blue ink, appearing to read 'JB', is written above a horizontal line.

Jill Boudreau, Mayor