

H 513

Section 19 Revised, and Concepts in Section 20(i)(2) placed into Section 19

Sec. 19. POLE ATTACHMENTS; PUBLIC UTILITY COMMISSION

RULES

(a) The Public Utility Commission shall revise Rule 3.700 – “Pole Attachments”, as follows:

(1) Adopt the Federal Communications Commission rules regarding the traditional and one-touch make-ready processes for pole attachments as set forth in 47 C.F.R. §§1.411 and 1.412, as modified from time to time, and such rules shall apply equally to poles solely and jointly owned;

(2) Adopt rules requiring that on or before the time of the make ready survey, joint pole owners designate which pole owner is responsible for overseeing the make-ready processes adopted under subsection (a)(1);

(3) Adopt rules for fair and reasonable uniform pole attachment rates using the Federal Communications Commission’s Cable Rate Formula, as set forth in 47 C.F.R. § 1.406(d)(1) based on space actually occupied, regardless of the service being delivered;

(4) Adopt rules to ensure the rapid resolution of disputes; and

(5) Adopt any other revisions deemed relevant by the Commission.

(b) The Commission shall file a final proposed rule with the Secretary of State and with the Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 841 on or before December 1, 2019.

**Note:** Regarding Sec. 19(a)(1), the FCC’s rules in §§1.411 and 1.412 address self-help for make ready, and lists of approved contractors.