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H.696

Introduced by Representatives Young of Glover, Botzow of Pownal, and
Marcotte of Coventry

Referred to Committee on

Date:

Subject: Utilities; telecommunications; pole attachment; rates

Statement of purpose of bill as introduced: This bill proposes to establish a
uniform pole attachment rate.

An act relating to pole attachment rates

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 30 V.S.A. § 209(i) is amended to read:

(i)(A) Pole attachments; broadband. For the purposes of Board rules on
attachments to poles owned by companies subject to regulation under this title,
broadband service providers shall be considered “attaching entities” with
equivalent rights to attach facilities as those provided to “attaching entities” in
the rules, regardless of whether such broadband providers offer a service
subject to the jurisdiction of the Board. The Board shall adopt rules in
accordance with 3 V.S.A. chapter 25 to ~~further~~ implement further this section.
The rules shall be aimed at furthering the State’s interest in ubiquitous

1 deployment of mobile telecommunications and broadband services within the
2 State.

3 (B) The annual rental charge formula for pole attachments shall be
4 calculated as provided in Board Rule 3.706 in effect on January 1, 2014,
5 provided the space occupied by attachment shall be set at a unified amount that
6 results in no net revenue change over one year to the pole owners as a group in
7 Rule 3.706(D)(1)(b)(i) and (ii), regardless of the type of service or services
8 provided over the attachment. The Board shall require that pole-owning
9 utilities provide attaching entities with 60 days advance notice of any changes
10 in their pole attachment tariffs. The Board also shall provide public notice of
11 any proposed pole attachment tariff changes, and any attaching entity may
12 petition the Board within 30 days after such public notice to conduct a
13 proceeding on the proposed tariff changes.

14 Sec. 2. EFFECTIVE DATE; RETROACTIVITY

15 This act shall take effect on passage and, notwithstanding 1 V.S.A. §§ 213
16 (pending suits unaffected) and 214 (effect of amendment), shall apply to all
17 attachment requests made on or after January 1, 2014.