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H.93

Introduced by Representatives Masland of Thetford, Anthony of Barre City,
Briglin of Thetford, Burke of Brattleboro, McCarthy of St.
Albans City, Till of Jericho, White of Hartford, and Young of
Greensboro

Referred to Committee on

Date:

Subject: Utilities; pole attachments; make-ready work; broadband deployment

Statement of purpose of bill as introduced: This bill proposes to require the
Public Utility Commission to amend its existing rules governing pole
attachments with the goal of expediting the use of facilities by
telecommunications service providers able to offer and expand broadband
throughout the State.

An act relating to pole attachment rules and broadband deployment

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

Sec. 1. POLE ATTACHMENT RULES; PUBLIC UTILITY COMMISSION

(a) On or before June 1, 2019, the Public Utility Commission shall initiate
a rulemaking proceeding to revise its rules governing pole attachments, Rule
3.700, et seq., with the goal of expediting the use of facilities by

1 telecommunications service providers able to offer and expand broadband
2 throughout the State. Among other things, the Commission shall consider:

3 (1) one-touch make-ready policies for pole attachments;

4 (2) the June 29, 2015 petition of the Maine Office of the Public
5 Advocate filed with the Maine Public Utilities Commission; in particular,
6 Attachment A to the petition and its proposed revisions to Maine's pole
7 attachment rules;

8 (3) measures designed to minimize delays and costs and promote fair
9 and reasonable rates and the rapid resolution of disputes;

10 (4) standards and procedures that will provide clarity for when a make-
11 ready completion period commences and ends; and

12 (5) any other standards or procedures deemed relevant by the
13 Commission.

14 (b) The rules adopted pursuant to this section shall specify that:

15 (1) The applicable make-ready completion period shall not be extended
16 solely because a utility pole is jointly owned.

17 (2) If the make-ready work is not completed within the applicable make-
18 ready completion period, the attaching entity may hire a qualified contractor to
19 complete the make-ready work and bill back any costs incurred to the pole
20 owner or owners, as applicable.

- 1 Sec. 2. EFFECTIVE DATE
- 2 This act shall take effect on passage.