

**H. 513, Section 19 as Passed House**

Sec. 19. POLE ATTACHMENTS; PUBLIC UTILITY COMMISSION

RULES

(a) The Public Utility Commission shall revise Rule 3.700 to implement

the following:

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

(2) measures designed to minimize delays and costs and promote fair

and reasonable rates and the rapid resolution of disputes;

(3) specifications for when a make-ready completion period commences

and ends, including a process for extending the make-ready completion period

in limited circumstances as defined by the Commission; and

(4) 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.

**This is EC Fiber's proposed amendment to Section 19(a)(1):**

Proposed Amendment to H.513 Section 19(a)(1) Submitted by Irv Thomaes, Chair, East Central Vermont Telecommunications District, May 2, 2019:

(a) The Public Utility Commission shall revise Rule 3.700 to implement the following: (1) one-touch make-ready policies for pole attachments in the communications space, augmented by measures to require that Pole Owning Utilities complete any needed pole replacements (and related electrical work) in sufficient time to make it reasonably possible for communications-space attachees [sic – should be attachers or attaching entities] to comply with make-ready deadlines, or pay penalties to the applicant; [...]

If EC Fiber's language for Section 19(a) is accepted, and the committee adds a provision to require the PUC to finish the rate rulemaking, this is what it would look like:

**Option 1:**

(a) The Public Utility Commission shall revise Rule 3.700 to implement the following:

(1) one-touch make-ready policies for pole attachments in the communications space, augmented by measures to require that Pole Owning Utilities complete any needed pole replacements (and related electrical work) in sufficient time to make it reasonably possible for communications-space attachees [sic – should be attachers or attaching entities] to comply with make-ready deadlines, or pay penalties to the applicant;

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

(3) specifications for when a make-ready completion period commences and ends, including a process for extending the make-ready completion period in limited circumstances as defined by the Commission; and

(4) any other revisions deemed relevant by the Commission.

(b) The Commission shall file a final proposed rule, including completion of the pending rulemaking on uniform pole attachment rates, 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.

**Option 1 “clean”:**

(b) The Public Utility Commission shall revise Rule 3.700 to implement the following:

(1) one-touch make-ready policies for pole attachments in the communications space, augmented by measures to require that Pole Owning Utilities complete any needed pole replacements (and related electrical work) in sufficient time to make it reasonably possible for communications-space Attaching Entities to comply with make-ready deadlines, or pay penalties to the applicant;

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

(3) specifications for when a make-ready completion period commences and ends, including a process for extending the make-ready completion period in limited circumstances as defined by the Commission; and

(4) any other revisions deemed relevant by the Commission.

(b) The Commission shall file a final proposed rule, including completion of the pending rulemaking on uniform pole attachment rates, 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.