

Reject New Regulations on Cooperative Utility Poles

Key Findings

- Any new attachment to a utility pole must undergo a careful review to ensure the safety, reliability, and integrity of the pole and electric infrastructure.
- One-size-fits-all rates or timelines do not accurately account for or reflect the unique cost of constructing and maintaining a distribution pole network in hard-to-reach, high-cost, and low-density areas, nor do they appropriately recognize the pole owner's safety and reliability obligations.
- Congress should reject any proposals for new pole attachment regulations and burdensome compliance timelines under the guise of streamlining broadband deployment.

Background

Rural electric cooperatives own and maintain utility poles and rights-of-way to deliver safe and reliable electricity to their members. While the primary purpose of these poles is to support the delivery of reliable electric service, utility pole owners can lease access to communications companies to support the deployment of broadband and other communications infrastructure. These “pole attachments” provide communications companies valuable access to an existing pole distribution corridor for a fraction of the significant costs that pole owners incur to build and maintain this network.

Any new attachment to a utility pole must undergo a careful review to ensure the safety, reliability, and integrity of the pole and electric infrastructure. In some instances, potential new attachments will either add too much weight, reduce the pole's ability to withstand wind or ice load, or not meet the required clearance levels to be compliant with state and federal regulations. Violations of these federal and state regulations could jeopardize public safety as well as electric grid resiliency and reliability. In some instances, a taller or stronger pole is needed to accommodate the new equipment, which would not otherwise be required and does not benefit the electric service.

New Broadband Opportunities and Pole Attachments

In recent years, Congress has appropriated billions of dollars for rural broadband deployment. Many electric cooperatives are taking advantage of these financing opportunities to help bridge the digital divide. However, as federal agencies work to disburse these funds, an effort is underway to add new, burdensome requirements and unreasonable timelines to rural pole owners.

As small, not-for-profit entities, co-ops often lack resources to immediately address large, unanticipated pole attachment applications. The process to evaluate each pole's condition, capacity, and loading is time-consuming and expensive, especially if a new pole or series of poles is required to accommodate new communications attachments. These costs can vary from state to state and even co-op to co-op depending on their service area density, terrain, and other unique factors.

Pole Attachment Rules Can Threaten Electric Grid

Some in the communications industry have called for one-size-fits-all rates for attachments and timelines to review and respond to pole attachment requests. These calls should be rejected. One-size-fits-all rates and

timelines do not accurately account for the unique cost of constructing and maintaining a distribution pole network in hard-to-reach, high-cost, and low-density areas. They also do not appropriately recognize the pole owner's safety and reliability obligations. Adding these onerous new compliance burdens would make it impossible for an electric cooperative pole owner to safely maintain their infrastructure.

Electric cooperatives serving rural America are eager to see their members receive access to reliable broadband services. Co-ops work in good faith to respond to third party attachment requests, negotiate reasonable, cost-based rates for pole attachments, and balance the safe and reliable distribution of electric service with efforts by many to build high-speed broadband networks in their communities. Given their shared interest, electric co-op pole owners and third-party communications providers regularly find a way to work together to reach mutually agreeable solutions, negating the need for any new onerous regulatory regime. Congress must reject any attempt to add new regulatory and compliance burdens to cooperative utility poles under the guise of streamlining broadband deployment.

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