

What They Are Saying: Comments on the Third FCC FNPRM on Pole Access

Connect the Future and other broadband supporters [have submitted](#) comments to the Federal Communications Commission's (FCC) third [Further Notice of Proposed Rulemaking](#) (FNPRM) on proposed rules to accelerate broadband deployment by streamlining access to utility poles. **The bottom line is that additional pole-related reforms are needed to fully maximize infrastructure investments and speed broadband deployment to unserved, rural communities.**

[Connect the Future](#)

"FCC actions taken this past December were critical first steps toward addressing some of these barriers, but the reforms needed to meet this urgent challenge remain incomplete. Achieving the reality of a fully connected America will require additional pole-related reforms that maximize infrastructure investments and speed broadband deployment to unserved, rural communities. As such, CTF supports the FCC's proposals around large pole attachment orders, self-help, and use of contractors. CTF also urges the Commission to swiftly enact clearly defined and equitable standards for how the costs of pole replacement investments should be shared by pole owners and attachers. Without prompt Commission action on these items, we risk falling short of our nation's Internet for All goals."

[ACA Connects](#)

"The Commission should take targeted steps to improve the processing of Large Order pole attachment requests. As ACA Connects and others explained, the 'good faith' standard for processing Large Order pole attachment requests is effectively 'no standard,' and many utilities have exploited this gap in the rules to slow the attachment process."

[Altice](#)

"As a broadband provider, Altice has valuable insight into pole owner practices that effectively delay essential access to poles – and thus broadband deployment. Specifically, Altice has experienced deployment delays resulting from pole owners' failure to process applications in a timely manner due to a purported lack of internal resources and pre-approved outside contractors, as well as pole owners' arbitrary pole-per-application limits and/or refusal to process more than a certain number of applications at one time."

[Crown Castle](#)

"It is well established in the record, and the Commission has recognized, that pole attachment applications and make-ready work face significant delays. The record demonstrates that the Commission should accelerate deployment by adopting a fixed timeline not only for make-ready but also for all stages of the process (i.e., application review, survey, make-ready estimates) for orders that exceed the Large Order definition of Section 1.1411(g) (applications up to the lesser of 3,000 poles or 5 percent of the utility's poles in a state). The certainty provided by a timeline for deployments that exceed the current upper limit of the Commission's rules, combined with the ability to exercise a meaningful self-help option, will reduce the opportunity for delay and empower attachers to take control of the process when utilities fail to meet the Commission's deadlines."

[INCOMPAS](#)

"The record reflects significant concerns from competitive providers and new attachers that the current make-ready framework for large pole orders, which requires new attachers to negotiate the timing of the make-ready and survey estimates for engineering and/or construction costs in good faith with the pole owners, does not adequately

address the needs of new attachers that are attempting to secure timely access to utility poles. Additionally, the record is replete with examples of the disadvantages these providers face when engaging pole owners in make-ready negotiations.”

NCTA – The Internet & Television Association

“Two things are clear from the opening comments filed in this proceeding: First, an additional fixed timeline for applications exceeding 3,000 poles (‘Grant Size Orders’) is essential to facilitate the thousands of pole attachments that are necessary to ensure that broadband is deployed to unserved rural areas in accordance with Congress’ and the Commission’s fixed construction milestones. Second, changes are needed to facilitate attachers’ use of qualified contractors for surveys, engineering, estimates and make-ready, particularly given utilities’ assertions that they lack the resources to complete the work themselves in a timely manner.”

SHLB Coalition

“As we have reported in this docket over the past two years, our broadband provider members often encounter pole attachment and pole replacement problems that either delay or halt their broadband build-out projects entirely, which have impeded the deployment of high-capacity broadband service to community anchor institutions around the country. SHLB Coalition is particularly concerned about the impact of pole attachment disputes on broadband deployment because the Broadband Equity, Access and Deployment (BEAD) program is intended to ensure that anchor institutions have a minimum of gigabit-level service available to them, but this goal may not be achieved unless the FCC provides greater guidance to resolve pole replacement issues.”