

June 27, 2022

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

Re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure
Investment, WC Docket No. 17-84

Dear Ms. Dortch:

The Taxpayers Protection Alliance (TPA) is pleased that the Federal Communications Commission (FCC) is moving forward with a rulemaking process to help evaluate whether action is needed to better allocate costs for pole attachments and replacements among providers attaching to poles and the owners of those poles.

Regulatory uncertainty is hindering providers from expanding broadband infrastructure. The costs can be high because some providers estimate that pole replacements can comprise a quarter or more of the cost to extend fiber into rural areas. The FCC notes in its draft that gaining access to poles in a quick, easy, safe, predictable and affordable way can help speed the deployment of broadband infrastructure.

The commission reports that, in some instances, it has received complaints that attachers are often required to absorb costs not caused by their attachments. The FCC points out in its draft that the commission is concerned these costs could impact the deployment of broadband networks by depleting the financial resources available to providers.

Only a small percentage of attachment requests result in the need for new poles, with pole owners often not passing on the cost of the replacement to the attacher when the pole was already slated for replacement.

While determining who should pay for what when it comes to pole replacements is a tricky task, reducing the regulatory burden shouldn't be in dispute. In fact, the commission can move to ensure that pole attachment applications are promptly reviewed while creating an expedited process to review pole attachment disputes, with an emphasis on timeliness in rural areas where broadband growth is most needed.

Congress recognizes the importance of access to poles by giving the FCC authority over rates and terms in Section 224 of the Communications Act. The FCC must now walk a fine line in its handling of this issue, working to facilitate broadband deployment while respecting the private property rights of pole owners.

Sincerely,

Johnny Kampis
Director of Telecom Policy