**PENNSYLVANIA**

# **PUBLIC UTILITY COMMISSION**

## Harrisburg, PA 17105-3265

Public Meeting held April 16, 2020

Commissioners Present:

Gladys Brown Dutrieuille, Chairman

David W. Sweet, Vice Chairman

Andrew G. Place

John F. Coleman, Jr.

Ralph V. Yanora

Pole Attachment Working Group M-2020-3019408

L-2018-3002672

**OPINION AND ORDER**

**BY THE COMMISSION:**

On March 18, 2020, the Pennsylvania Public Utility Commission (Commission) certified to the Federal Communications Commission that pursuant to 47 U.S.C. § 224(c) and to the extent authorized by the Public Utility Code, 66 Pa.C.S. § 101 et seq., the Commission has assumed jurisdiction over disputes addressing the rates, terms, and conditions of pole attachments. The Commission’s pole attachment regulations are in 52 Pa. Code Chapter 77.

In addition to adopting substantive and procedural rules for pole attachments, the Commission created a Pole Attachment Working Group. The Working Group is intended to ensure that the Commission remains apprised of industry and public concerns, to ensure that changes to the federal pole attachment rules are properly vetted before becoming effective in Pennsylvania, and to provide feedback to the Commission on the functioning of its regulations and dispute resolution processes as they relate to pole attachments. By Public Notice published in the *Pennsylvania Bulletin* on February 22, 2020, the Commission formally established the Pole Attachment Working Group and identified the initial Working Group members.[[1]](#footnote-1) The Public Notice also invited other stakeholders who may be interested in participating in the Pole Attachment Working Group to inform Commission staff of their interest.

In response to the Notice, the following additional entities expressed an interest in participating in the Working Group: Wellsboro Electric Company, Citizens' Electric Company, PPL Electric Utilities Corporation, Duquesne Light Company, PECO Energy Co., Verizon North, LLC, Verizon Pennsylvania, LLC, Crown Castle Fiber, LLC, DQE Communications LLC, FirstLight Fiber, Inc., the International Brotherhood of Electrical Workers, and the Davey Resource Group Inc.

These entities, together with those identified in the Notice, are listed in Appendix A to this Order. Together, they represent a cross section of interested stakeholders, including wireless carriers and cable providers, incumbent and competitive local exchange carriers, electric distribution companies, and the respective associations from those sectors, as well as representatives of both workers and businesses that perform attachment and make-ready work. The Commission believes these parties represent a good mixture of stakeholders that we anticipate will provide the requisite expertise and representative experience to the Working Group. For these reasons, the Commission finds it appropriate to appoint these new members and affirm the membership of the Pole Attachment Working Group as identified in Appendix. A. We note that this membership may be amended from time to time, as warranted, to supplement the expertise and representative experience of the Working Group; **THEREFORE,**

**IT IS ORDERED:**

1. That the appointment to the Pole Attachment Working Group of the entities contained in Appendix A is approved.

2. The contact persons for the Pole Attachment Working Group are Colin W. Scott, Assistant Counsel, (717) 783‑5949, and Christian A. McDewell, Assistant Counsel, (717) 787‑7466.

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: April 16, 2020

ORDER ENTERED: April 16, 2020

**Appendix A**

**Pole Attachment Working Group Appointees**

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| **Entity Name** |
| Public Utility Commission - Bureau of Consumer Services |
| Public Utility Commission - Law Bureau |
| Public Utility Commission – Office of Special Assistants |
| Public Utility Commission – Bureau of Technical Utility Services |
| Public Utility Commission – Bureau of Investigation and Enforcement |
| Public Utility Commission – Office of Administrative Law Judge, Mediation Office |
| Office of Consumer Advocate |
| Office of Small Business Advocate |
| Governor’s Office of Broadband Initiatives |
| Pennsylvania Telephone Association |
| Broadband Cable Association of Pennsylvania |
| International Brotherhood of Electrical Workers |
| Wellsboro Electric Company |
| Davey Resource Group Inc. |
| Citizens' Electric Company |
| PPL Electric Utilities Corporation |
| Verizon North, LLC. |
| Verizon Pennsylvania, LLC. |
| CTIA - The Wireless Association |
| Crown Castle Fiber, LLC. |
| Duquesne Light Company |
| DQE Communications LLC |
| PECO Energy Co. |
| FirstLight Fiber, Inc. |
| Energy Association of Pennsylvania |

1. 50 *Pa.B.* 1204. The Notice established the Working Group with an initial membership of representatives from the following entities: the Commission Bureaus of Consumer Services, Technical Utility Services, and Investigation and Enforcement; the Commission Offices of Special Assistants and Administrative Law Judge, Mediation Office; the Office of Consumer Advocate, the Office of Small Business Advocate, and the Governor’s Office of Broadband Initiatives; the Pennsylvania Telephone Association, the Broadband Cable Association of Pennsylvania, the Energy Association of Pennsylvania, and CTIA - The Wireless Association. [↑](#footnote-ref-1)