

[New Regulations Adopted Governing Communications Attachments to Utility Poles](#)

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Following up on its National Broadband Plan promise of a year ago ([see our advisory](#)), today the FCC voted to adopt several pole attachment rule changes. While the text of the order has not yet been released, here is a brief summary of some of the key actions. We will post a more detailed analysis of this item shortly.

We [previously summarized](#) the full set of pole attachment rule changes proposed in May of 2010. Among the changes adopted today are:

- The pole attachment rate formula for telecommunications service attachments will be altered so that the telecom rate will be nearly equal to the lower cable rate.
- Utilities must complete the attachment make-ready process within 5 months after application, with an additional 60 days for large applications. This includes all time needed for pole surveys, cost estimate, acceptance, and construction. In addition, utilities must allow attachers to employ qualified independent contractors for such construction.
- Going forward, ILECs will have the right to file formal complaints with the FCC concerning unjust and unreasonable electric utility pole attachment rates, terms, and conditions, but will not get automatic rights to regulated pole rates as do cable operators and CLECs.
- The make-ready process for pole top wireless antennas must be completed within 6 months after application. In addition, wireless providers are entitled to the same rates as telecommunications providers.

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