



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

DA- 02-2578  
October 8, 2002

## COMMISSION RELEASES AGENDA FOR PUBLIC FORUM ON RIGHTS-OF-WAY ISSUES

As previously announced by *Public Notice* released on July 29, 2002,<sup>1</sup> the Federal Communications Commission (FCC or Commission) will hold a Public Forum on issues relating to rights-of-way management on October 16, 2002 from 9:15 a.m. to 3:30 p.m. at the FCC's headquarters, 445 12th Street, SW, Washington, DC, in the Commission Meeting Room. The Public Forum will be open to the public and seating will be available on a first come, first served basis.

The Public Forum is aimed at facilitating discussion among local authorities, state regulators, and the industry to develop consensus positions where possible. The forum will strive to, among other things, identify principles and practices that all parties believe can be a model for access to and management of rights-of-way with respect to the communications industry. The following agenda provides the names and affiliations of the invited panelists.

- 9:15 a.m. – 10:00 a.m.      Welcome and Introduction
- K. Dane Snowden, Chief, Consumer & Governmental  
Affairs Bureau
- FCC Chairman and Commissioners
- 10:00 a.m. – 11:00 a.m.      The Jurisdictional Question: Local vs. Federal Authority
- Introduction - Background, historical perspective on  
rights-of-way issues, and status of court challenges.
- Panel discussion on the scope of Federal authority under  
Section 253 of the Communications Act.

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<sup>1</sup> Commission Public Forum on Rights-of-Way Issues to be Held on October 16, 2002, *Public Notice*, DA 02-1832 (rel. July 29, 2002); *See also*, Commission Releases Draft Agenda for Public Forum on Rights-of-Way Issues, *Public Notice*, DA- 02-2127 (rel. August 29, 2002).

Moderator: Jane Mago, General Counsel, Office of  
General Counsel

Panelists

Lisa Gelb, Deputy City Attorney, San Francisco,  
California

Chris Melcher, Corporate Counsel, Qwest  
Communications

Pam Beery, Partner, Beery & Elsner

Teresa Marrero, Manager, Federal Rights-of-Way  
Issues, AT&T

11:00 a.m. – 11:15 a.m.

Break

11:15 a.m. – 12:30 p.m.

Fair and Reasonable Compensation for Use of Rights-of-  
Way

Panel discussion on compensation issues including cost-  
based, percentage of revenue, and in-kind compensation  
approaches.

Moderator: Bill Maher, Chief, Wireline  
Competition Bureau

Panelists

Sandy Sakamoto, Assistant General Counsel and Assistant  
Attorney SBC/Pacific Telesis

Don Knight, Assistant City Attorney, Dallas, Texas

Kelsi Reeves, Vice President of Federal Government Relations  
Time Warner Telecom

Larry Doherty, Director, Site Development, West  
Region, Sprint PCS

Barry Orton, Professor of Telecommunications,  
University of Wisconsin - Madison

12:30 p.m. – 2:00 p.m.

Lunch Break

2:00 p.m. – 2:30 p.m.

Perspectives from the Administration

Nancy Victory, Assistant Secretary for Communications  
and Information, U.S. Department of Commerce

2:30 p.m. – 3:30 p.m.

Looking Ahead: Policy Approaches to Rights-of-Way Management

Panel discussion on how best to accommodate the interests of multiple stakeholders.

Moderator: Ken Ferree, Chief, Media Bureau

Panelists

Ken Fellman, Mayor, Arvada, Colorado

Dorian Denburg, Chief Rights-of-Way Counsel,  
BellSouth Corporation

Bob Chernow, Chair, Regional Telecom Commission

Alexandra Wilson, Chief Policy Counsel, Cox Enterprises

Bob Nelson, Commissioner, Michigan Public Service  
Commission

3:30 p.m.

Closing

K. Dane Snowden, Chief, Consumer & Governmental  
Affairs Bureau

The forum will be closed captioned and will be carried live on the Internet through RealAudio from the FCC Web site at: [http:// www.fcc.gov/realaudio/](http://www.fcc.gov/realaudio/). A transcript of the forum will be available 10 business days after the event on the FCC's Internet site at <http://www.fcc.gov/cgb/row.html>. Transcripts may also be obtained from the FCC's duplicating contractor, Qualex International, 445 12th St., S.W., Room CY-B402, Washington, D.C. 20554, telephone 202-863-2893, facsimile 202-863- 2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). Audio and video tapes of the forum can be purchased from CACI Productions (formerly Infocus Media), 341 Victory Drive, Herndon, VA 20170, by calling CACI at (703) 834-1470 or by faxing CACI at (703) 834-0111. The meeting agenda will be provided in accessible formats. The meeting site is fully accessible to people using wheelchairs or other mobility aids. Copies of the transcript in other alternative formats (computer diskette, large print, and Braille) are available to persons with disabilities by contacting Brian Millin (202) 418- 7426 voice, (202) 418-7365 TTY, or [bmillin@fcc.gov](mailto:bmillin@fcc.gov). Send requests for reasonable accommodations to [fcc504@fcc.gov](mailto:fcc504@fcc.gov), or contact Helen Chang, Section 504 Officer, 202-418-0424, 202-418-0432 TTY, or [hchang@fcc.gov](mailto:hchang@fcc.gov). Also include a way of contacting you if we need more information. Please submit your request at least 5 days in advance so that we can assure provision of the service you require. Participants and attendees are reminded of the Commission's *ex parte* rules and are responsible for complying with those rules to the extent their comments address the merits of pending proceedings.

For additional information contact: Kris Monteith or Gene Fullano, Consumer & Governmental Affairs Bureau, (202) 418-1400, [kmonteit@fcc.gov](mailto:kmonteit@fcc.gov) or [gfullano@fcc.gov](mailto:gfullano@fcc.gov).

