



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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

DA 10-893

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STATES THAT HAVE CERTIFIED THAT THEY REGULATE POLE ATTACHMENTS

WC Docket No. 10-101

The state of Arkansas certifies that it has issued and made effective rules and regulations implementing its regulatory authority over pole attachments, including a specific methodology for such regulation which has been made publicly available in the state.¹ Pursuant to Section 1.1414(b) of the Commission's rules on pole attachments, the Commission gives public notice of receipt of Arkansas's certification.² Certification by a state preempts the Commission from accepting pole attachment complaints under Subpart J of Part 1 of the Rules.³

Also pursuant to Section 1.1414(b), the Commission compiles and publishes from time to time a listing of states which have provided certification.⁴ The following states have certified that they regulate rates, terms, and conditions for pole attachments, and, in so regulating, have the authority to consider and do consider the interests of subscribers of cable television services, as well as the interests of the consumers of the utility services. Moreover, these states have certified that they have issued and made effective rules and regulations implementing their regulatory authority over pole attachments, including a specific methodology for such regulation which has been made publicly available in the state. The Commission establishes a new docket, WC Docket No. 10-101, to collect and maintain state pole attachments certifications and addenda.

Alaska
Arkansas
California
Connecticut
Delaware
District of Columbia
Idaho
Illinois
Kentucky
Louisiana

¹ Letter from Paul Suskie, Chairman, Arkansas Public Service Commission, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-101 (Oct. 20, 2008).

² 47 C.F.R. § 1.1414(b).

³ 47 U.S.C. § 224(c); 47 C.F.R. §§ 1.1401-1.1418.

⁴ Section 1.1402(g) defines the term "state" to mean any state, territory, or possession of the United States, the District of Columbia, or any political subdivision, agency, or instrumentality thereof. 47 C.F.R. § 1.1402(g).

Maine
Massachusetts
Michigan
New Hampshire
New Jersey
New York
Ohio
Oregon
Utah
Vermont
Washington

This Public Notice supersedes *Corrected List of States That Have Certified That They Regulate Pole Attachments*, Public Notice, DA No. 08-853, 23 FCC Rcd 4878 (2008).

For further information regarding this proceeding, contact Jonathan Reel, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580 or jonathan.reel@fcc.gov.

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