



**Federal Communications Commission
Washington, DC 20554**

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SMALL ENTITY COMPLIANCE GUIDE

**Accelerating Wireline Broadband Deployment by Removing Barriers
to Infrastructure Investment**

**FCC 25-38
WC Docket No. 17-84
Released July 25, 2025**

In accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996, this Small Entity Compliance Guide (Guide) is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the rules adopted in the above-referenced Federal Communications Commission (FCC or Commission) rulemaking dockets. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply. Furthermore, the Commission retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decision regarding a particular small entity will be based on the statute and any relevant rules.

In any civil or administrative action against a small entity for a violation of rules, the content of the Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide in the above referenced docket and the appropriateness of its application to a particular situation. The Commission will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The Commission may decide to revise this Guide without public notice to reflect changes in its approach to implementing a rule, or it may clarify or update the text of the Guide. Please direct comments and recommendations, or requests for further assistance, to the FCC's Consumer Center:

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I. OBJECTIVES OF THE PROCEEDING

In the *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment (Report and Order)*,¹ the Commission adopted rules that: (1) require communications attachers to provide advance written notice to utilities of forthcoming larger pole attachment orders and impose a meet-and-confer requirement following the notice; (2) establish a timeline for large pole attachment requests; (3) improve timelines by requiring prompt 15-day notification from utilities and existing attachers if they cannot meet survey and make-ready deadlines, (4) allow self-help for estimates; (5) prohibit utility-imposed limits on application size and frequency that have the effect of restricting the number of pole attachments that attachers may seek in a given timeframe; and (6) require utilities to respond to a request to add contractors to a utility-approved list within 30 days of receiving the request.

The decisions made in the *Report and Order* will aid communications companies and utilities in planning for larger broadband deployments and in allocating critical contractor resources to ensure that large broadband deployments are completed in an efficient and timely manner, thus alleviating delays that could harm small providers.

II. COMPLIANCE REQUIREMENTS

The *Report and Order* amends section 1.1411 of the Commission's rules to adopt requirements that will best balance the difficulties faced by utilities in processing large applications against attachers' need for speedier deployments. It also amends section 1.1412 of the Commission's rules to improve the contractor approval process.

A. Changes to the Commission's pole attachment timelines (47 CFR § 1.1411)

The *Report and Order* adopted requirements that will aid attachers and utilities in planning for larger broadband deployments and allocating critical contractor resources by: (1) requiring attachers to provide written notice to utilities of forthcoming pole attachment orders that are greater than the lesser of 300 poles or 0.5 percent of the utility's poles in a state up to the lesser of 6,000 poles or ten percent of a utility's poles in a state; (2) providing that an attacher that fails to provide timely advance notice of such orders must, upon prompt notice from the utility, still wait the relevant advance notice period before the applicable timeline begins; (3) imposing a meet-and-confer requirement following the requisite advance notice for orders greater than the lesser of 3,000 poles or five percent of the utility's poles in a state up to the lesser of 6,000 poles or ten percent of a utility's poles in a state (Large Orders); and (4) establishing a new set of timelines for utilities to complete each pole access phase for Large Orders.²

The new timelines for Large Orders are as follows:

Large Order Timeline	
Pole Access Phase	Time for Completion
Application Completeness Review	10 business days after receipt
OTMR Application Review	10 business days for completeness, 45 days on the merits after application is complete

¹ *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Fifth Report and Order, Fourth Further Notice of Proposed Rulemaking, and Orders on Reconsideration, FCC 25-38 (Aug. 22, 2025) (*Report and Order*).

² The lesser of the first 6,000 poles (or 10 percent of the utility's poles in the state) of that application are subject to the new make-ready timelines adopted for Large Orders, so long as the attacher designates in its application the first 6,000 poles (or 10 percent of the utility's poles in the state) to be processed, which the utility must permit the attacher to do.

Large Order Timeline	
Pole Access Phase	Time for Completion
Survey/Review on Merits	90 days after application is complete
Estimate	29 days after survey
Communications Space Make-Ready	120 days after attacher payment
Above Communications Space Make-Ready (Power space)	180 days after attacher payment

The Commission also revised the pole attachment timelines to: (1) require utilities to notify attachers within 15 days of receiving a complete application if they know or reasonably should know that they cannot meet the survey deadline, and require utilities to notify attachers within 15 days of payment of the estimate, and existing attachers to notify utilities and new attachers within 15 days of receiving notice from the utility, if they know or reasonably should know that they cannot meet the make-ready deadline; (2) add a self-help remedy for make-ready estimates, provided certain safeguards are met; and (3) prohibit utility-imposed limits on application size and frequency that have the effect of restricting the number of pole attachments attachers may seek in a given timeframe.

B. Contractor approval (47 CFR § 1.1412)

To ensure promptness in the utility’s contractor decision-making, the Commission adopted a rule requiring utilities to respond to a request to add contractors to a utility-approved list within 30 days of receiving the request. Parties are free to negotiate for a longer approval period. If a utility fails to respond to an attacher’s request to add a proposed contractor to its approved list within 30 days of receipt, then the attacher’s request will be deemed approved. If an attacher does not submit information sufficient to demonstrate that a contractor has made the representations required by section 1.1412(c) of the Commission’s rules, then utilities may respond with a denial, provided that it is (1) set forth in a writing that describes the basis for rejection, (2) nondiscriminatory, and (3) based on fair application of commercially reasonable requirements for contractors relating to issues of safety or reliability. If a utility disqualifies a contractor that was previously added to its approved list at the request of an attacher or deemed approved pursuant to the requirements adopted in the *Report and Order*, then the Commission requires that the utility provide written notice to the attacher specifying the bases for the disqualification.

III. RECORDKEEPING AND REPORTING REQUIREMENTS

The *Report and Order* contains new information requirements for new attachers, existing attachers, and utilities.

New attachers must:

- Provide written advance notice, to be sent as soon as practicable but not less than 15 days in advance of submitting a Mid-Sized Order³ or 60 days in advance of submitting a Large Order, setting forth the following detailed information that will allow the utility to properly assess the potential resource needs for the order: (1) the attacher’s contact information; (2) a description of the proposed deployment area(s) and anticipated route(s); (3) an anticipated build-out

³ For the sole purpose of calculating the size of a Mid-Sized Order for the advance notice requirement, this provision is limited to when the Mid-Sized Order threshold would be exceeded by pole attachment application(s) that are part of a single network deployment project being undertaken by the new attacher. 47 CFR § 1.1411(c)(1).

schedule; and (4) for Large Orders only, a request to meet and confer with the utility within 30 days of the date of the notice. (47 CFR § 1.1411(c)(1))

- If an attacher submits an application to the utility without giving the required written advance notice, then the utility may promptly notify the attacher that it is treating the application as the requisite advance notice, that the application will commence the advance notice period, and, if it is a Large Order, that the attacher must request the meet-and confer required by our rules. If the attacher fails to request the meet-and-confer, then the advance notice period will not begin to run until such request is made. At the end of the advance notice period, the new attacher can submit a new application or notify the utility that it is continuing with its original submission as its application, and the utility may not charge any additional or increased application fee. (47 CFR § 1.1411(c)(2))
- For Large Orders only, the Commission now requires attachers and utilities to meet and confer within 30 days after written advance notice is given to negotiate in good faith the mechanics and timing by which Large Orders will be processed. The Commission encourages the parties to discuss and plan, among other things, the utility's ability to meet deadlines for an order, the availability of contractors (particularly the need for, and availability of, electric space contractors to the extent necessary), a prioritization of the poles to be worked on, the status of local permitting efforts, and estimated timelines for the work. The Commission also requires that the parties find a mutually agreeable day and time for the meeting (which can be in-person, virtual, or by phone), and to conduct the meeting, within the 30-day period after the attacher sends written advance notice. (47 CFR § 1.1411(c)(3))
- Where a utility or existing attacher notifies the new attacher that it is unable to meet the survey or make-ready timelines, the new attacher may then elect self-help for the work that the notifying party cannot do pursuant to sections 1.1411(i)(1) (for surveys) or 1.1411(i)(3) (for make-ready) of our rules upon receipt of notice from the party rather than having to wait until the relevant timeline period runs. (47 CFR § 1.1411(d)(3)(i), (d)(4))
- If a utility misses the estimate deadline, then the new attacher can exercise self-help to prepare the estimate, provided: (1) the attacher waits until the utility's 14-day estimate deadline (or 29 days in the case of Large Orders) has expired before exercising the self-help remedy; (2) the attacher provides notice that it is exercising its self-help remedy for an estimate; (3) the self-help estimate is performed by an approved contractor in accordance with sections 1.1412(a)-(b) of the Commission's rules; and (4) allow utilities the ability to review and approve the self-help estimate at the attacher's expense, but expenses must be reasonable and based only on the actual costs incurred by the utility in reviewing the estimate. The attacher cannot use this self-help remedy for estimates of pole replacements. If the estimate is not accepted by the utility, then the utility must detail in writing the reasons for non-acceptance. The attacher then can submit a revised estimate to the utility without restarting the pole attachment timeline. (47 CFR § 1.1411(j)(2)). If the self-help process does not result in an accepted estimate, then the attacher can resort to the Rapid Broadband Assessment Team (RBAT) at the Commission to have the utility generate an estimate pursuant to section 1.1411(e) of the Commission's rules.

Existing attachers must:

- Notify the utility and the new attacher as soon as practicable, but no later than 15 days after receiving notice from the utility pursuant to section 1.1411(f) of the Commission's rules, that the existing attacher knows or reasonably should know that it cannot meet the make-ready deadline. (47 CFR § 1.1411(f)(4))

Utilities must:

- If utilities want to treat an application filed without timely notice as the requisite written advance notice, then they must give prompt notice to the new attacher that they are treating the application as the advance notice, that the application will commence the advance notice

- period, and, if it is a Large Order, that the attacher must request the meet-and confer required by the Commission's rules. Failure by the utility to give prompt notice that it is treating the attacher's application as the advance notice will result in the application proceeding to be processed under the applicable timelines without an advance notice period or meet-and-confer requirement. (47 CFR § 1.1411(c)(2))
- For Large Orders only, participate in the meet-and-confer with the new attachers as described above. (47 CFR § 1.1411(c)(3))
 - Notify new attachers within 15 days of receipt of a complete application if they know or reasonably should know that they cannot meet the survey timelines. (47 CFR § 1.1411(d)(3)(i))
 - Notify new attachers as soon as practicable but no later than 15 days after payment of the estimate if they know or reasonably should know that they cannot meet the make-ready timelines. (47 CFR § 1.1411(f)(4))
 - Make a written decision on a self-help estimate within 14 days of receipt or before it is withdrawn by the attacher, whichever is later. If the estimate is not accepted by the utility, then the utility must detail in writing the reasons for non-acceptance. (47 CFR § 1.1411(j)(2))
 - Refrain from imposing application size limits in combination with application frequency limits that have the practical effect of restricting the number of pole attachments attachers may seek in a given timeframe. (47 CFR § 1.1411(h)(5))
 - Respond to new attacher requests to add a contractor to the utility's contractor list within 30 days of receipt by the utility. The response must state whether the proposed contractor meets the requirements in section 1.1412(c) of the Commission's rules and will be added to the utility's approved list of contractors following the completion of the utility's on-boarding process. Any denial must be in writing, describe the basis for rejection, be nondiscriminatory, and be based on fair application of commercially reasonable requirements for contractors relating to issues of safety or reliability. If a utility disqualifies a contractor that was previously added to its approved list at the request of an attacher or deemed approved, it must provide written notice to the attacher that specifies the bases for the disqualification. (47 CFR § 1.1412(e))

IV. IMPLEMENTATION DATE

The rules in the *Report and Order* became effective September 25, 2025, except for the amendments to 47 CFR §§ 1.1403(b), 1.1411(c)-(k), and 1.1412(a)-(b), (e) which require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. These rules shall become effective after the Commission publishes a notice in the Federal Register announcing OMB approval and the relevant effective date.

V. INTERNET LINKS

A copy of the *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment Fourth Report and Order and Third Further Notice* is available at: <https://www.fcc.gov/document/fcc-aims-remove-barriers-broadband-deployment-and-investment-0>.

A copy of the Federal Register Summary of the *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment Fourth Report and Order and Third Further Notice* is available at: <https://www.govinfo.gov/content/pkg/FR-2025-08-26/pdf/2025-16332.pdf>.