



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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FCC PROMOTES BROADBAND DEPLOYMENT, COMPETITION, AND AFFORDABILITY BY REDUCING INFRASTRUCTURE ACCESS COSTS

Washington, D.C. -- The Federal Communications Commission today adopted an Order and Further Notice of Proposed Rulemaking that implements key recommendations of the National Broadband Plan for promoting broadband deployment and competition. The Order and Further Notice will make broadband more affordable and available by speeding and reducing the costs of access to an essential piece of infrastructure: utility poles.

Currently, access by service providers to poles can be slow, costly, and mired in long disputes. The National Broadband Plan recognized that one way to lower the costs of telecommunications, cable, and broadband deployment and promote competition is to reduce the cost of access to infrastructure. The Plan found that the impact of utility pole attachment rates on broadband can be particularly acute in rural areas, where there often are more poles per mile than households.

The Order adopted today will reduce costs and speed access to poles by clarifying the statutory right of communications providers to use the same space- and cost-saving techniques that pole owners use, such as placing attachments on both sides of a pole. The Order also establishes that attachers have a statutory right to timely access to poles.

The Further Notice seeks comment on revising pole attachment rates to make them as low and as close to uniform as possible, reducing the disparity between current telecom and cable rates. Different rates for different types of firms using the same space on a pole makes little sense when the cost of providing the space is the same to the utility pole owner. Disparate rates can affect investment decisions and product offerings, resulting in fewer competitive choices for consumers.

The Further Notice also seeks comment on a specific timeline to govern each step of the pole attachment process, while still providing flexibility to accommodate safety concerns and special circumstances, such as natural disasters.

Finally, the Further Notice proposes rules to speed resolution of disputes, which can delay delivery of new, competitive offerings to consumers.

Action by the Commission May 20, 2010 by: Report and Order and Further Notice of Proposed Rulemaking (FCC 10-84). Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker. Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker issuing separate statements.

Docket Nos.: WC Docket No. 07-245 and GN Docket No. 09-51

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