

**STATEMENT OF
COMMISSIONER MEREDITH A. BAKER**

Re: Implementation of Section 224 of the Act, WC Docket No. 07-245, A National Broadband Plan for Our Future, GN Docket No. 09-51

This Order and Further Notice are an important step forward in crafting policy to ensure broadband access by all people of the United States. Nondiscriminatory access to poles, ducts, conduits, and rights-of-way at just and reasonable terms and conditions is critical for deployment and achieving the broadband goals set out by Congress. We already have a substantial record on pole attachments and I recognize that these issues are contentious. All sides of these disputes have legitimate concerns. While it is our responsibility to address the public policy interests of broadband deployment and promoting competition, we must also consider the critical interests of safety, reliability, and sound engineering practices.

I am pleased that this Order clarifies some basic rights and responsibilities under section 224. I also appreciate that the Further Notice tees up some difficult issues related to both rates and access. On rates in particular, I am interested in carefully considering how our policy proposals fit within the statutory framework laid out by Congress. With regard to access, protracted disputes between pole owners and attachers must not become obstacles to broadband deployment and competition, but any rules we adopt must be flexible enough to account for the unique safety considerations related to live electricity and other exceptional circumstances of pole infrastructure.

I encourage all parties affected by our pole attachment rules to actively and constructively engage in this next phase of the proceeding and I look forward to reviewing the record. And as always, I appreciate the hard work of the staff on this item.