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For Immediate Release

**FCC SEEKS INPUT ON RESOLVING DISPUTES OVER COSTS FOR
POLE REPLACEMENTS**

Adopts Notice to Provide Regulatory Certainty Around Pole Attachment Rules

WASHINGTON, March 16, 2022—The Federal Communications Commission today voted to seek comment on establishing clear standards for how utilities and attachers must share in the costs of pole replacements. Gaining access to poles in a quick, easy, safe, predictable, and affordable way can help speed the deployment of broadband infrastructure. This Second Further Notice of Proposed Rulemaking is the latest in a series of steps the Commission has taken over the past decade to update its pole attachment rules.

The notice adopted today seeks comment on whether further reforms are necessary to provide regulatory certainty, with a particular focus on the allocation of costs for pole replacements.

Specifically, the Further Notice seeks comment on the following matters:

- How to determine whether and to what extent utilities directly benefit from various types of pole replacements in situations where a pole replacement is not “necessitated solely” by a new attachment request.
- What standards the Commission should establish for requiring utilities to pay a proportional share of pole replacement costs.
- When weighing the costs and benefits of early pole retirements, what is the best approach to align economic incentives between communications attachers and utilities.
- Whether requiring utilities to pay a portion of the costs of a pole replacement would positively or negatively affect negotiations of pole attachment agreements and broadband deployment.
- What measures the Commission could adopt to avoid disputes, or expedite the resolution of pole replacement disputes; and
- What scope of refunds the Commission should order when it determines that a pole attachment rate, term, or condition is unjust and unreasonable.

Action by the Commission March 16, 2022 by Second Further Notice of Proposed Rulemaking (FCC 22-20). Chairwoman Rosenworcel, Commissioners Carr, Starks, and Simington approving. Chairwoman Rosenworcel and Commissioner Carr issuing separate statements.

WC Docket No. 17-84

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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).