

**SEPARATE STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Implementation of Section 224 of the Act; Amendment of the Commission's Rules and Policies Governing Pole Attachments; WC Docket No. 07-245, RM-11293, RM-11303, Notice of Proposed Rulemaking (Oct. 31, 2007).

The utility pole may have hit its iconic high point in the fall of 1947, when Norman Rockwell painted a New England Telephone Company employee perched atop a telephone pole, giving us his historic depiction of this venerable lineman. I have a copy in my office to remind me of the important work men and women on the lines do every day to make our networks run. While it's hard to top attention from Norman Rockwell, I'm pleased that the Commission today devotes some of its time to the critical issue of access to utility poles for telecommunications and broadband providers.

Through this Notice, we seek comment on two petitions that ask the Commission to explore changes to its pole attachment rules in order to reduce competitive distortions among broadband providers. These parties have asked the Commission to consider, among other things, changes to its rules for pole attachment rates, complaint processes, and procedures for providing access to poles, ducts, and conduits. Even this Commission, with its preference for facilities-based competition, has recognized that it is impractical and undesirable to have multiple sets of utility poles in our neighborhoods, so I am pleased that this Order recognizes that timely access to poles, ducts, and conduits is critical for facilities-based providers of broadband services. It is important that the Commission move forward with these petitions as expeditiously as possible. I look forward to working with my colleagues and the many segments of industry as we make progress on these issues. We should do so keeping in mind the need to level the competitive playing field for facilities-based providers of broadband services.