



October 4, 2022

**SUBMITTED ELECTRONICALLY VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street, N.E.  
Washington, D.C. 20554

**Re: Ex Parte Filing: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84**

Dear Madam Secretary:

Pursuant to the Federal Communications Commission's ex parte rules, I hereby submit the following summary of a meeting by the Schools, Health & Libraries Broadband (SHLB) Coalition with the Federal Communications Commission staff on September 29, 2022. We discussed the current Notice of Proposed Rulemaking in the above-listed docket, as well as certain points made in the Comments and Reply Comments filed in this proceeding.

The following FCC officials attended the meeting: Adam Copeland, Michael Ray, Emily Caditz, and Matthew Collins. The SHLB representatives were Ovidiu Viorica of the New Mexico Public Schools Facilities Authority, Kara Riebold of Petrichor Broadband, and the undersigned.

Mr. Windhausen clarified that the SHLB Coalition is a non-profit public interest organization that promotes broadband deployment connecting anchor institutions and their surrounding communities. SHLB developed and filed a set of pole attachment principles last year not because it is asking the FCC to regulate municipalities and electric cooperatives (over whom the FCC does not have jurisdiction) but to provide a common framework that we believe that policy-makers at all levels of government should adopt to help resolve pole attachment disputes as quickly as possible. Contrary to some of the comments filed in the record, SHLB is not proposing a one-size-fits-all approach. Rather we support a series of flexible guidelines that we encourage parties to use in their negotiations to speed the deployment of broadband networks to anchor institutions and unserved/underserved communities. We also encouraged the FCC to hold workshops or public hearings to highlight the importance of pole attachment issues in general.

Mr. Viorica noted that he has seen first-hand several examples of pole attachment problems that inhibit broadband deployment in New Mexico, and that these difficulties can sometimes grind broadband projects to a halt. He also noted that those who say that there are no pole attachment problems does not have a good understanding of the realities of building these networks. He also said that his biggest

difficulty is that the lack of transparency and the lack of guidance about pole costs leads to surprisingly high charges that cannot be known and included in budgets in advance.

Ms. Riebold said that Petrichor Broadband faces three types of problems with pole attachments: 1) utilities are overwhelmed with new pole attachment requests; 2) the make-ready costs put forth by pole owners are excessively high; and 3) the costs of pole replacements are often put on the last attacher, even when the pole is near the end of its useful life and needs to be replaced by the pole owner anyway. The FCC could help to solve this question over how to allocate the costs of pole replacement by reaching a final decision in the pending rulemaking proceeding.

The SHLB representatives also recommended that the FCC provide guidance to broadband providers and attachers, and to the states, about how to prioritize the resolution of pole attachment disputes. New Mexico and Washington and other state have developed task forces or working groups, but it is not clear that these groups will be able to resolve problems quickly without receiving guidance from the FCC.

Sincerely,

A handwritten signature in cursive script that reads "John Windhausen, Jr.".

John Windhausen, Jr.  
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cc: Adam Copeland, Matthew Collins, Emily Caditz, Michael Ray