

August 9, 2024

**SUBMITTED ELECTRONICALLY VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 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 Federal Communications Commission’s *ex parte* rules, I hereby submit the following summary of a meeting on August 8, 2024, between the Schools, Health & Libraries Broadband (SHLB) Coalition and members of the Wireline Competition Bureau (WCB). We discussed the Commission’s Third Further Notice of Proposed Rulemaking (Third FNPRM) referenced in the above docket. We also discussed our July 26 letter suggesting clearly defined timelines for “large order” pole application requests over 3,000 poles and supported clearly defined and equitable standards for pole replacement costs (SHLB Letter).<sup>1</sup>

The following individuals participated in the meeting:

- John Windhausen, Jr., SHLB Coalition
- Kristen Corra, SHLB Coalition
- Michele Berlove, Assistant Division Chief of the Competition Policy Division, WCB;
- Michael Ray, WCB; and
- David Brodian, WCB.

We reiterated our support for the Commission’s efforts in the Third FNPRM to streamline the pole attachment process and encouraged the Commission to adopt a final order to clarify open issues (such as the proposal to establish clear timelines for large pole orders).

Regarding the allocation of costs related to pole replacements, we expressed that many SHLB members would find it helpful for the Commission to clarify this issue. We continue to

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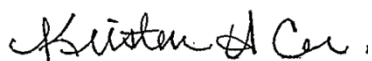
<sup>1</sup> Letter from the Schools, Health & Libraries Broadband Coalition (SHLB) to Marlene H. Dortch, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84 (July 26, 2024).

support a fair allocation of pole replacement costs between pole owners and attachers. We suggested that the Commission could require owners and attachers to equitably share replacement costs, which would mirror rules that Canada adopted last year requiring pole owners to bear at least 50 percent of the cost of pole replacements, given that they will own and benefit financially from the new pole.

We also expressed that we continue to suggest the idea for states to implement their own pole attachment “working groups” to help mediate and resolve pole attachment disputes and delays quickly. In relation to this, we discussed the Commission’s market dispute resolution process and the recent implementation of the Commission’s RBAT, which is intended to help parties resolve such disputes.

Finally, we discussed that SHLB responded in opposition to a petition filed by Edison Electric Institute, specifically in regard to the Commission’s “Grandfathered Pole Ruling.”<sup>2</sup> We argue that a “grandfathered” pole is by definition not in compliance with current rules, so we believe that the Commission correctly resolved this issue in the Fourth Report and Order and Declaratory Ruling.

Sincerely,



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<sup>2</sup> Opposition of SHLB to the Edison Electric Institute Petition for Reconsideration, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84 (Feb. 13, 2024).