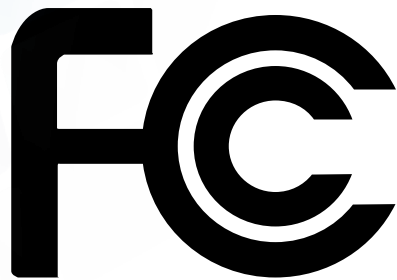




**Broadband Deployment
Advisory Committee**

**Summary:
Wireline Infrastructure Item**



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Removing Barriers to Wireline Infrastructure Investment

proposes a number of actions designed to accelerate:

- (1) the deployment of next-generation networks and services by removing barriers to infrastructure investment at the federal, state, and local level;
- (2) the transition from legacy copper networks and services to next-generation networks and services; and
- (3) the elimination of Commission regulations that increase costs and slow broadband deployment.

- **Removing Barriers to Wireline Infrastructure Investment**

- Notice of Proposed Rulemaking

- Pole Attachment Reforms
- Expediting Copper Retirement Process
- Streamlining Section 214(a) Discontinuance Process

- Notice of Inquiry

- Using Section 253 Authority to Preempt State and Local Laws Inhibiting Broadband Deployment
- Preemption of State Laws Governing Copper Retirement

- Request for Comment

- Seeks Comment on Revisiting a Previous Declaratory Ruling Expanding the Interpretation of What Constitutes a "Service" for Purposes of the Section 214(a) Discontinuance Process

• **Proposed Pole Attachment Reforms:**

- Streamlining the timeframes for gaining access to utility poles;
- Limiting the make-ready fees charges by utilities to new attachers;
- Codifying a rule that ensures pole attachers are not charged multiple times for capital costs;
- Proposing that incumbent LECs should be presumptively entitled to pay a pole attachment rate using the telecommunications rate formula;
- Establishing a 180-day shot clock for Commission consideration of pole attachment complaints; and
- Adopting rules that would allow ILECs to demand reciprocal access on other LEC-owned poles.

- **Additional Areas of Comment on Pole Attachments:**
 - Seeks comment on types of pole attachment data resources currently available to make more information publicly available regarding rates, location, and availability of poles for faster pole attachment timelines.
 - Seeks comment on actions that the Commission might be able to undertake to speed deployment of next generation networks by facilitating access to infrastructure owned by entities not subject to Section 224.
 - Seeks comment on ways to make the process of gaining access to utility conduits more transparent.

- **Seeks Comment on Ways to Reduce Regulatory Burdens of Retiring Legacy Copper Facilities**
- **Proposes and Seeks Comment on Ways to Streamline the Section 214 Discontinuance Process**

Section 253 Preemption of State and Local Laws

- Seeks comment on using Section 253 preemption authority to enact rules prohibiting the enforcement of state and local laws that inhibit broadband deployment.
- More specifically, the item asks questions about how the Commission might address:
 - deployment moratoria;
 - delays in rights-of-way negotiations and approval processes;
 - excessive fees and other costs;
 - unreasonable conditions; and
 - bad-faith negotiation conduct.

Section 253 Preemption of State and Local Laws

- Collaboration with States and Localities
 - Recognizes states and localities play a vital role in deployment and addressing the needs of their resident and how the FCC can best account for states' and localities' important roles
 - Seeks comment on the extent to which the FCC should rely upon collaborative processes to remove barriers to broadband deployment before reporting to preemption.
- Recognizes the important role of the BDAC and the contributions the BDAC will make in this process:
 - *"The Commission's newly formed Broadband Deployment Advisory Committee (BDAC) includes members from states and localities, and it has been charged with working to develop model codes for municipalities and states. The BDAC will also consider additional steps that can be taken to remove state and local regulatory barriers."*

Section 253 Preemption of Copper Retirement Requirements

- Seeks comment on using Section 253 preemption to prohibit unreasonable conditions or requirements that might impede the retirement of copper facilities.
- More specifically, the item seeks comment on:
 - whether there are state laws governing the maintenance or retirement of copper facilities that serve as barriers to deploying next-generation technologies and services that the Commission might seek to preempt.

Wireline Infrastructure Item: Request for Comment

- **Seeks comment on revisiting** the decision in the Commission's *2014 Declaratory Ruling* and subsequent *2015 Order on Reconsideration* expanding what constitutes a "service" for purposes of Section 214(a) discontinuance review.
- **Requests comment** on other Section 214(a) interpretations of when carriers must ask for Commission permission to alter or discontinue a service.

Wireline Infrastructure Item- Conclusion

- **Public Comments:**

- *Comments Due:* 30 days after publication in Federal Register
- *Reply Comment Due:* 60 days after publication in Federal Register

- **Questions/Contact:**

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Thank you!

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