

# POLE ATTACHMENTS BEST PRACTICES CONFERENCE

January 25-26, 2021  
Online | Central Time



*"I believe the speakers and presentations greatly improved my knowledge. I would recommend this to anyone in the industry, specifically, municipal government, state government, carriers and utilities."*

OSP Engineer, Bluebird Network LLC

PRE-CONFERENCE WORKSHOP

## Joint Use Management

MONDAY, JANUARY 25, 2021

EUCI ONLINE CONFERENCE

EUCI is pleased to offer this virtual course on its online interactive platform. Enjoy a valuable learning experience with a smaller impact on your time and budget. You will gain new knowledge, skills, and hands-on experience from the convenience of your remote location.

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EUCI is authorized by IACET to offer 0.9 CEUs conference, 0.3 CEUs workshop

## OVERVIEW

Against the backdrop of ongoing deployment of 5G small cells and 4G densification, the COVID-19 pandemic has laid bare the need for broadband access for all citizens, from school children to healthcare providers and teleworkers. This has led to additional broadband and infrastructure investment by telecom companies, traditional electric utilities, and federal, state and local governments.

What does all this mean for existing pole owners and attachers — electric utilities, communications, and cable companies? These events mean that, more than ever, it is important to ensure that joint use and pole attachment license agreements are up-to-date and in conformance with regulations, to understand and effectively administer those agreements to recover costs, and to seek solutions rather than conflicts with other pole owners and attaching entities.

As technology advances and the demand for reliable, faster internet services increases, pole owners and wireless and wireline pole attachers are faced with increasing pressure to deploy the 5th generation network technology on existing poles and infrastructure. With new and evolving FCC regulations, what can the electric utilities, carriers and government organizations expect for the future of pole attachments? Wading through the waters of joint use, pole attachment agreements and small cell deployment can be difficult. Add increasing scrutiny from state and federal regulators, strict timelines, and rental rates, both sides of the industry don't always know what their best options are, but it doesn't have to be that way. Not with the OTMR (one-touch make-ready) and other regulatory and technological advancements.

## LEARNING OUTCOMES

- Discuss the technological advances and current policy objectives that have led to the active federal and state regulatory advancements
- Review the reach of federal law and its impact on deployment on utility poles and other infrastructure in the right-of-way
- Compare different states commission plans for pole attachments
- Discuss how industry trends such as fiber deployment, broadband deployment and small cell attachments are impacting electric utilities and communications companies
- Discuss the advent of 5G technology and how it impacts pole attachments
- Discuss pole attachment insurance and indemnification
- Compare future outlooks of pole attachments from the perspectives of leaders in investor owned utilities, public utilities, cooperatives, and telecommunications companies



*“Wonderfully informative and well run.”*

Procurement Analyst  
and IT Buyer, Knoxville  
Utilities Board



*“This conference was a very good opportunity to bring attaching entities & infrastructure owners together to build trust and further the spirit of collaboration.”*

Sr. OSP Engineer, Bluebird Networks

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# AGENDA

MONDAY, JANUARY 25, 2021 – CENTRAL TIME

12:45 – 1:00 pm

**Login and Welcome**

1:00 – 1:45 pm

**NESC and GO 95 Update on Pole Loading and Attachments**  
*Ron Bilodeau, Senior Solutions Consultant, Osmose*

1:45 – 2:45 pm

**Surveying the Telecommunication Regulatory Landscape: Current Federal Legislation and Litigation**

With the ever-changing legal landscape of wireline and wireless pole attachments, it is easy to forget all the laws and regulations that structure the industry. Dive into the history and progression of pole attachment regulation at the federal level, as experts discuss the applicability of the federal Pole Attachment Act, pole owner and attachers’ rights and obligations under the Act, and recent FCC actions including the Third Report Order, the deployment of the one-touch make-ready (OTMR) regime and the 5G Fast Plan. The Telecommunication Regulatory Landscape discussion will also review important legal topics such as the requirements for requesting entities to replace the streetlight and how much time pole owners can expend to evaluate the request on a per pole basis. This presentation will provide a high-level overview of recent FCC decisions impacting the fee formulas and discuss their effect on rate negotiations with entities that are, and are not, covered by the Federal Pole Attachment Act.

**Chris Huther, Partner, Wiley Rein**  
**Claire Evans, Partner, Wiley Rein**

2:45 – 3:00 pm

**Afternoon Break**

3:00 – 4:00 pm

**Facing the Future: The Next Generation Network**

What are the opportunities, the synergies, and the challenges of expanding communication networks beyond the traditional use case to support the needs of communities? Pole owners and attachers are at the forefront of the race to 5G and smart cities, smart street furniture, electric and self-driving vehicles quickly becoming an economic necessity.

Across the globe, cities are increasingly looking towards technology to improve essential communications, efficiently deliver community services, reduce carbon footprint, and attract investment. Smart technology and the network needed to support it requires a collaborative effort from local jurisdictions, utility infrastructure owners, citizen, and business groups. Given the multitude of stakeholders involved, no single player can act alone. This session attempts to identify partnership opportunities, address stakeholder concerns, anticipate future technology requirements, and establish best practices for future communication technology.

**Tyler Svitak, Executive Director, Colorado Smart Cities Alliance**



*“Great class. Everyone is engaged and allows for open discussion.”*

Project Coordinator,  
 Guadalupe Valley Electric  
 Co-Op



*“I learned new things that I didn’t know but should have known.”*

Procurement Supervisor, United Power

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# AGENDA

TUESDAY, JANUARY 26, 2021 – CENTRAL TIME

**8:45 – 9:00 am**

**Login and Welcome**

**9:00 – 10:15 am**



**Case Study: Joint Use Contracts and Management**

As part of that effort, the FCC's Broadband Deployment Advisory Committee (BDAC) is providing recommendations to streamline the pole attachment process. Simultaneously, to support the upcoming deployment of 5G wireless networks, state legislatures across the country are considering legislation to pre-empt municipal control over small cell wireless attachments, with at least 8 states having passed new laws. While these changes will impact pole-owners' and attachers' Joint-Use and Pole Attachment processes in ways large and small, some fundamental truths of the pole attachment process remain. Sean Knowles, VP Business Development, McLean Engineering

**10:15 – 10:30 am**

**Morning Break**

**10:30 – 11:30 am**

**Telecommunications Infrastructure: Policy and Transactions**

The Distribution System is vastly becoming the hub of the grid as energy generation and management surges at the edge. Utilities quick to view the grid holistically and dynamic, versus separate and reactionary will be faster to adapt to the coming distributed energy marketplace. Approaching pole attachments unilaterally without considering the distribution assets role in the overall ecosystem will ultimately lead to missed opportunities. Indemnification provisos are increasingly becoming subject to intense negotiations between pole owners and attachers as new types of equipment and facilities are being attached to traditional poles and other structures.

**Tripp May, Managing Partner, Telecom Law Firm**

**11:30 am – 12:00 pm**

**Mitigating Risks and Challenges with Wireless and Wireline Attachments**

This presentation will seek to expose the most common challenges facing pole attachers, pole owners and third-party vendors such as attachment equipment and application costs, network consistency and reliability, supply chain, network design and excess infrastructure, and common-mode failure points. This presentation will come from the newly formed IEEE working group focused on 3rd Party Attachments and Pole Loading.

**Nelson Bingel, Vice-Chair, IEEE 3rd Party Attachments Working Group**

**12:00 – 12:30 pm**

**Lunch Break**

**12:30 – 2:00 pm**



**Case Study: Private Wireless Networks Initiatives in San Antonio involving CPS Energy**

The first initiative is a pilot project to test smart streetlight technologies. The purpose of the pilot is to test different wireless platforms and various smart sensor applications for eventual deployment across all CPS Energy streetlight poles. The second project concerns the deployment of private wireless networks in low-income neighborhoods to provide fixed wireless connections to families with students that cannot afford broadband service. This is an effort to permanently close the homework gap/remote learning gap affecting thousands of low-income students in the community. This was a terrible problem prior to the COVID-19 pandemic which is now a crisis with thousands of students unable to participate in basic education for lack of a broadband connection. Both projects involve collaboration between CPS Energy and the City of San Antonio.

**Gabriel Garcia, Director & Senior Counsel, Legal Services, CPS Energy**

**2:00 – 2:15 pm**

**Afternoon Break**

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# AGENDA

TUESDAY, JANUARY 26, 2021 – CENTRAL TIME (CONTINUED)

**2:15 – 3:15**

### **Carrier, Utility and Government Collaborative Partnerships**

This panel presentation will discuss experiences working with utilities and carriers, within jurisdictions, and how that communication leads to agreements. The key is collaboration and seeing each other's pain points, working to produce the least intrusive and most efficient arrangement for both parties. Pole owners and pole attachers must collaborate to implement flat rate billing structures, range of design options, third party program managers and demonstration sites. This discussion looks to define the best means of communication between government, carrier companies, and the utilities as more collaboration crosses the industry.

***Shanell Williams, Manager – Joint Use, Ameren***

**3:15 – 4:00 pm**

### **Panel Discussion: Correcting Past Pole Attachment Issues and Preparing for the Deployment Future Technology**

Owners and attachers must be aware of pole attachment inventories, cost-sharing, and prorated billing. Making improvements to an existing network can be difficult as the implementation of Database applications, drones, GIS mapping, and AI alternatives becomes necessary. This presentation will discuss how NESC and GO 95 clearance requirements, violations, and remedies effect pole ownership objectives and attachment processes.

***All conference speakers will participate***

**4:00 pm**

### **Wrap Up and Adjourn**

# SPEAKERS

- **Ron Bilodeau**, Senior Solutions Consultant, Osmose
- **Nelson Bingel**, Vice-Chair, IEEE 3rd Party Attachments Working Group
- **Claire Evans**, Partner, Wiley Rein
- **Gabriel Garcia**, Director & Senior Counsel, Legal Services, CPS Energy
- **Chris Huther**, Partner, Wiley Rein
- **Sean Knowles**, VP Business Development, McLean Engineering
- **Tripp May**, Managing Partner, Telecom Law Firm
- **Tyler Svitak**, Executive Director, Colorado Smart Cities Alliance
- **Shanell Williams**, Manager – Joint Use, Ameren

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## PRE-CONFERENCE WORKSHOP

# Joint Use Management

MONDAY, JANUARY 25, 2021 - CENTRAL TIME

**8:45 – 9:00 am**      **Login and Welcome****9:00 am – 12:00 pm**      **Workshop Timing**

## OVERVIEW

Throughout its first year under new Chairman Ajit Pai, The Federal Communications Commission (FCC) has been working to encourage broadband deployment. As part of that effort, the FCC's Broadband Deployment Advisory Committee (BDAC) is providing recommendations to streamline the pole attachment process. Simultaneously, to support the upcoming deployment of 5G wireless networks, state legislatures across the country are considering legislation to pre-empt municipal control over small cell wireless attachments, with at least 8 states having passed new laws. While these changes will impact pole-owners' and attachers' Joint-Use and Pole Attachment processes in ways large and small, some fundamental truths of the pole attachment process remain.

## LEARNING OUTCOMES

- Review common joint use contract provisions and their practical implications
- Demonstrate how to calculate the FCC Maximum Allowable Rate for pole attachments
- Explain the rights and obligations of utilities and joint-users/attachers on new and existing joint use poles
- Review NJUNS and the transfer process
- Analyze effective strategies for working with attachers and joint-users to correct past mistakes and issues

## WORKSHOP AGENDA

MONDAY, JANUARY 25, 2021 - CENTRAL TIME

**8:45 – 9:00 am**      **Login and Welcome****9:00 am – 12:00 pm**      **Workshop Timing**

### **Introduction and Pole Attachment Overview**

#### **Industry Trends**

- FCC/Regulatory Update
- BDAC Recommendations
- Small Cell Wireless Siting Legislation

#### **Pole Attachment Agreements**

- Review of Common Contract Provisions and Fees
- Administering Existing and "Predecessor" Agreements
- Negotiating New Agreements
- Wireless Contract Addenda to Comply with New Laws

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# WORKSHOP AGENDA

MONDAY, JANUARY 25, 2021 - CENTRAL TIME (CONTINUED)

## **New Joint Use – The Essentials to Ensure Proper Attachments**

- The Permit Process and Timeline “Shot-Clock”
- Make-Ready

## **Existing Joint Use – Modifications and Transfers**

- Transfer Software Options, Tips and Tricks
- Late transfers and Pole Ownership transfers
- Modifying Existing Joint Use Poles

## **Correcting Past Issues**

- Pole Attachment Inventories
- NESC Clearance Requirements, Violations and Remedies
- Pole Ownership
- Stranded Assets

## **Attachment Cost Calculations**

- FCC Maximum Allowable Rate Calculation Example
- Alternative Methods and Sample Rates
- Wireless Attachment Rates in Small Cell Legislation

# WORKSHOP INSTRUCTOR



## Sean Knowles

**Principal, Pole Attachment Services/VP, Business Development, McLean Engineering**

Sean Knowles joined McLean Engineering in 2009. Over the past ten years, McLean has grown its distribution engineering, inspection and pole attachment practice to include investor-owned utility, electric cooperative, and municipal utility clients across the US. Sean’s primary responsibilities related to pole attachments include project development, overall project management and project payback, as well as pole attachment contract development, pole attachment rental rate calculation and contract advisement and negotiation. Sean has written, spoken and taught on pole attachment topics throughout the country.

Prior to coming to McLean Engineering, Sean earned a Master of Business Administration from Duke University, where he ran the Duke Start-up Challenge business plan competition. Prior to Duke, Sean worked for six years in the United States Senate, the last four of which he spent as a staff member of the Senate Appropriations Committee, during which time he negotiated eight public laws allocating military spending, traveled to 13 countries conducting project oversight, analyzed over 2,000 construction projects and allocated over \$50 billion in funding for the Department of Defense (DOD). Sean’s experience during his tenure on the Appropriations Committee included oversight of the DOD’s utilities privatization program. Prior to his work in the Senate, Sean earned a Bachelor of Business Administration in Finance from Texas Tech University.

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## INSTRUCTIONAL METHODS

PowerPoint presentations, panel discussions and case studies will be used for this conference.

## IACET CREDITS



EUCI has been accredited as an Authorized Provider by the International Association for Continuing Education and Training (IACET). In obtaining this accreditation, EUCI has demonstrated that it complies with the ANSI/IACET Standard which is recognized internationally as a standard of good practice. As a result of their Authorized Provider status, EUCI is authorized to offer IACET CEUs for its programs that qualify under the ANSI/IACET Standard.

**EUCI is authorized by IACET to offer 0.9 CEUs conference, 0.3 CEUs workshop.**

## REQUIREMENTS FOR SUCCESSFUL COMPLETION

Participants must login for the entirety of conference to be eligible for continuing education credit.

## ONLINE COURSE DELIVERY & PARTICIPATION DETAILS

EUCI is pleased to offer this virtual course on its online interactive platform. Enjoy a valuable learning experience with a smaller impact on your time and budget. You will gain new knowledge, skills, and hands-on experience from the convenience of your remote location.

We will be using Microsoft Teams to facilitate your participation in the upcoming event. You do not need to have an existing Teams account in order to participate in the broadcast – the course will play in your browser and you will have the option of using a microphone to speak with the room and ask questions, or type any questions in via the chat window and our on-line administrator will relay your question to the instructor.

You will receive a meeting invitation that will include a link to join the meeting.

Separate meeting invitations will be sent for the morning and afternoon sessions of the course. You will need to join the appropriate meeting at the appropriate time.

If you are using a microphone, please ensure that it is muted until such time as you need to ask a question.

The remote meeting connection will be open approximately 30 minutes before the start of the course. We encourage you to connect as early as possible in case you experience any unforeseen problems.

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## PLEASE SELECT

- BUNDLE PRICE: POLE ATTACHMENTS BEST PRACTICES CONFERENCE ONLINE CONFERENCE AND PRE-CONFERENCE WORKSHOP**  
JANUARY 25-26, 2021: US \$1595 (Single Connection)
- POLE ATTACHMENTS BEST PRACTICES CONFERENCE ONLINE CONFERENCE**  
JANUARY 25-26, 2021: US \$1,195 (Single Connection)
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- PRE-CONFERENCE WORKSHOP ONLY: JOINT USE MANAGEMENT**  
MONDAY, JANUARY 25, 2021: US \$495 (Single Connection)

**Please call us at 303-770-8800 if you have any specific questions on the volume discounts.**  
*\* all other discounts do not apply to license packs*

## REGISTRATION INFO

### Mail Directly To:

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6400 S Fiddlers Green Cir., Suite 1620  
Greenwood Village, CO 80111  
OR, scan and email to: [conferences@euci.com](mailto:conferences@euci.com)  
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### Online Course Delivery & Participation Details

See page 8 for information

How did you hear about this event? (direct e-mail, colleague, speaker(s), etc.)

Print Name

Job Title

Company

Address

City

State/Province

Zip/Postal Code

Country

Phone

Email

### CREDIT CARD INFORMATION

Name on Card

Billing Address

Account Number

Billing City

Billing State

Exp. Date

Security Code (last 3 digits on the back of Visa and MC or 4 digits on front of AmEx)

Billing Zip Code/Postal Code

**OR** Enclosed is a check for \$ \_\_\_\_\_ to cover \_\_\_\_\_ registrations.

### Substitutions & Cancellations

Your registration may be transferred to a member of your organization up to 24 hours in advance of the event. Cancellations must be received on or before December 18, 2020 in order to be refunded and will be subject to a US \$195.00 processing fee per registrant. No refunds will be made after this date. Cancellations received after this date will create a credit of the tuition (less processing fee) good toward any other EUCI event. This credit will be good for six months from the cancellation date. In the event of non-attendance, all registration fees will be forfeited. In case of course cancellation, EUCI's liability is limited to refund of the event registration fee only. For more information regarding administrative policies, such as complaints and refunds, please contact our offices at 303-770-8800. EUCI reserves the right to alter this program without prior notice.

