UTILITY POLE ATTACHMENTS
Understanding New FCC Regulations and Industry Trends

May 15-16, 2018
Radisson Nashville Airport
Nashville, TN

“EUCI presents a well-organized and informational rich experience. I would recommend this course to any entity involved in or interested in pole attachment.”

Telecom Engineering Manager,
Texas Utility Engineering
OVERVIEW

The first year of the Trump Administration brought an increased focus on the world of shared infrastructure. The Federal Communications Commission issued a decision in the closely-watched Verizon v. Dominion pole attachment complaint proceeding, commenced rulemakings intended to further promote broadband deployment, established a Broadband Deployment Advisory Committee, and successfully defended revisions to its telecom rate methodology on appeal. Debates continued about Net Neutrality, local control of infrastructure, and rural broadband funding. Elsewhere, wireless small cell legislation in support of 5G deployment was enacted or considered in at least 23 states, and the Tennessee Valley Authority (TVA) has rolled out a new regulatory framework for the pole attachment rental rates charged by its distributors. 2018 promises to be year with significant state and federal developments impacting shared infrastructure.

What does all this mean for electric utilities, communications, and cable companies? These legal developments, policy goals, and emerging industry trends underscore the importance of understanding the rapidly changing regulatory environment so that pole owners and attachers effectively administer their pole attachment agreements in compliance with the law and revise or replace those agreements when necessary or advisable.

LEARNING OUTCOMES

- Review common joint use and pole attachment license agreement provisions and their practical implications
- Identify how to calculate the FCC maximum allowable rate for pole attachments
- Examine the rights and obligations of utilities and joint-users/third-party attachers on new and existing joint use poles
- Analyze NJUNS and the transfer process
- Discuss how industry trends such as fiber deployment and wireless attachments are impacting pole owners
- Formulate effective strategies for working with attachers and joint-users to correct past mistakes and issues
- Examine NESC issues related to pole attachments
- Review the business case for an effective inspection program

WHO SHOULD ATTEND

Electric Utility, Communications, and Cable Company:

- Engineering Managers
- Operations Managers
- Construction Managers
- Distribution Engineers
- Joint-Use Managers
- Finance and Accounting staff responsible for joint use and licensee billing

“You’re bound to learn a thing or two that will completely redefine your view and processes in the industry.”

Project Manager, Construction CAD Solutions, Inc.

“...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
AGENDA

TUESDAY, MAY 15, 2018

8:30 – 9:00 am  Registration and Continental Breakfast

9:00 am – 5:00 pm  Course Timing

12:00 – 1:00 pm  Group Luncheon

- Introduction and Conference Overview
- History of Joint Use and the Regulation of Shared Infrastructure
  - The Federal Pole Attachment Act and its amendments
  - Federal policy objectives
  - Recent FCC proceedings
- Applicability of the Federal Pole Attachment Act
  - State vs. federal regulation
  - Investor-owned utilities vs. electric cooperatives and municipal utilities
- Joint Use Agreements and License Agreements
  - Standard terms and conditions
  - Issues with vintage agreements
  - Negotiating amendments or new agreements
- Federal Regulation of Wireline Pole Attachments
  - FCC rental rate formulas
  - Access requirements
  - Make-ready timelines
- The Essentials to Ensure Proper Attachments
  - The permit process
  - Make-ready
  - Special cases: guys/anchors/risers/pedestals
- Modifications and Transfers
  - Transfer software options, tips and tricks
  - Late transfers and pole ownership transfers
  - Modifying existing joint use poles – What is billable?
- Correcting Past Issues
  - Pole attachment inventories, cost-sharing, and prorated billing
  - NESC clearance requirements, violations, and remedies
  - Pole ownership objectives
  - Stranded assets

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Telecom Engineering Manager, Texas Utility Engineering

“‘I’m not an engineer, however, the information was presented in a clear, understandable manner.”

Utility Administrator, LADWP
AGENDA

WEDNESDAY, MAY 16, 2018

8:30 – 9:00 am  Continental Breakfast

9:00 am – 12:30 pm  Course Timing

- Regulation of Wireless Attachments and Small Cells
  - Federal vs. State and local regulation
  - FCC rental rate formula
  - Pole-top access requirement
  - Make-ready timeline
- Pole Attachment Rate Calculations
  - Calculation of rental rates under the FCC’s formulas
  - Rental rates for wireless attachments
  - Alternative methods and sample rates, including TVA
- Industry Trends and Current Issues Roundtable Discussion
  - Recent FCC proceedings and decisions
  - One-touch make-ready
  - Small Cell/5G deployment
  - TVA
  - Rural Broadband

INSTRUCTORS

Sean Knowles
Principal, Pole Attachment Services/VP, Business Development, McLean Engineering

Sean Knowles joined McLean Engineering in 2009. Over the past eight 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.

“’The content was first rate, the presenters were knowledgeable and
trustworthy, and the materials will be an essential tool going forward. The
council was an excellent investment that is already paying dividends.’

Communications company Joint Use Manager
Chad David
Director, Joint Use and Pole Attachment Services, McLean Engineering

Chad manages day-to-day implementation of client pole attachment agreements for electric utility clients. This includes managing over 80 joint use contracts across 5 states. His responsibilities include management of the permitting process from beginning to completion, including costing, make-ready, and inspection, to ensure utilities recover costs; administration of foreign attachment transfers and left-in-place poles; National Joint Use Notification System (NJUNS) set up and training; assistance with management of attachment transfers; resolution of issues with “non-performing” attachers and code violations; and annual billing for attachers and joint users. Chad rose quickly through the ranks at McLean, beginning as a field inspector and working as a GIS analyst, giving him an end-to-end understanding of the pole attachment process.

Prior to his work at McLean Engineering, Chad worked in the insurance industry, where he developed financial analytical skills, and as a Forester for the Georgia Forestry Commission, where he developed technical GIS skills.

Chris Huther
Partner, Wiley Rein LLP

For two decades, Chris has successfully represented communications companies in negotiations, litigations, and regulatory proceedings involving infrastructure, rate, and utility pole issues. He is recognized as an authority on joint use issues and has been named a “recommended lawyer” by The Legal 500.

In recent years, Chris has negotiated settlement, joint use, and pole attachment agreements with investor-owned utilities, electric cooperatives, and municipal utilities, mediated and arbitrated disputes over the terms of existing joint use and pole attachment agreements, supported broadband deployment efforts nationwide, through counseling, negotiations, and litigation, served as lead counsel for telecommunications companies in Pole Attachment Complaint proceedings before the Federal Communications Commission’s Enforcement Bureau, and defended telecommunications companies in litigation filed in Florida, Massachusetts, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Virginia, and West Virginia.

Claire Evans
Partner, Wiley Rein LLP

For the past five years, Claire has worked closely with Chris Huther (above) on all pole attachment and infrastructure matters, including the first Pole Attachment Complaint filed by an ILEC after the FCC issued its 2011 Pole Attachment Order. More recently, Claire represented communications companies in their support of the FCC’s 2015 Order on Reconsideration, which modified the FCC rate formulas to bring parity to telecommunications company and cable company attachers.

Before joining Wiley Rein, Claire obtained significant “inside” experience at all levels of the judicial system, having served as a law clerk at the U.S. Supreme Court, Court of Appeals, and District Court. Claire has also been named a “recommended lawyer” by The Legal 500.

“Educational and informative. Speakers had different viewpoints and a wide variety of information to share.”

Power Engineering Technologist I, UC Synergetic
REQUIREMENTS FOR SUCCESSFUL COMPLETION OF PROGRAM

Participants must sign in/out each day and be in attendance for the entirety of the course to be eligible for continuing education credit.

INSTRUCTIONAL METHODS

PowerPoint presentation and open discussion will be used in this program.

EVENT LOCATION

A room block has been reserved at the Radisson Nashville Airport, 1112 Airport Center Drive, Nashville, TN 37214, for the nights of May 14-15, 2018. Room rates are US $135 plus applicable tax. Call 1-615-889-9090 or click here for reservations and mention the EUCI event to get the group rate. The cutoff date to receive the group rate is April 30, 2018 but as there are a limited number of rooms available at this rate, the room block may close sooner. Please make your reservations early.

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 for the course.

REGISTER 3, SEND THE 4TH FREE

Any organization wishing to send multiple attendees to this course may send 1 FREE for every 3 delegates registered. Please note that all registrations must be made at the same time to qualify.

“EUCI offers a great way to network while encouraging a dialogue among attendees, helping all to stay up-to-date on the latest industry trends.”

Past Attendee
**PLEASE REGISTER**

UTILITY POLE ATTACHMENTS COURSE  
MAY 15-16, 2018: US $1395,  
Early bird on or before APRIL 27, 2018: US $1195

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

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OR Enclosed is a check for $                      to cover                                registrations.

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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 April 13, 2018 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.