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## Environment & Energy Committee

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### HB 2922

**Brief Description:** Concerning pole attachments on public utility district facilities.

**Sponsors:** Representatives DeBolt, Springer, Schmick, Doglio, Vick, Wylie, Griffey and Fey.

#### Brief Summary of Bill

- Requires a public utility district to establish a pole-attachment rate according to the cable formula set forth by the Federal Communications Commission, provided that the rate not exceed the average rate charged for attachments by investor-owned public utilities regulated by the Utilities and Transportation Commission.

**Hearing Date:** 2/27/20

**Staff:** Nikkole Hughes (786-7156).

#### Background:

Telecommunications service providers use poles, conduits, or rights-of-way owned by other providers or government entities to attach service equipment. City and public utility district (PUD) pole owners must apply rates, terms, and conditions for pole attachments that are just, reasonable, nondiscriminatory, and sufficient. For PUD owners, determining a just and reasonable rate must follow a calculation tied to the additional costs of procuring and maintaining pole attachments. Alternatively, PUDs may establish a rate according to the cable formula set forth by the Federal Communications Commission (FCC) by rule as it existed on June 12, 2008, or a subsequent date as may be provided by the FCC by rule.

#### Summary of Bill:

A public utility district (PUD) may only establish a pole attachment rate according to the cable formula set forth by the Federal Communications Commission (FCC) by rule as it existed on June 12, 2008, or a subsequent date as may be provided by the FCC by rule. The rate may not

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exceed the average rate charged for attachments by investor-owned public utilities regulated by the Utilities and Transportation Commission.

A PUD may not require more space for a safety barrier than that required by the National Electrical Safety Code. A PUD may not deny a pole attachment application in favor of reserving space for its own use, other than for the transmission of electric power.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.