



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1219

H.P. 894

House of Representatives, March 24, 2021

**Resolve, To Facilitate the Modernization and Streamlining of the
Utility Pole Attachment Process**

Received by the Clerk of the House on March 22, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUELL of East Machias.

1 **Sec. 1. Public Utilities Commission; stakeholder group. Resolved:** That,
 2 within existing resources, the Public Utilities Commission shall convene a stakeholder
 3 group to develop recommendations for the implementation of 3rd-party administration of
 4 utility pole attachment joint use under the Maine Revised Statutes, Title 35-A, section 711,
 5 which must include, but are not limited to:

6 1. A framework for ensuring that 3rd-party administrators do not own and are not
 7 affiliated with any entity that provides retail telecommunications services in the State;

8 2. A framework for divesting providers of retail telecommunications services of all
 9 ownership interest in utility poles; and

10 3. A framework for performance-based regulation of utility pole ownership and the
 11 administration of utility pole attachment joint use.

12 In developing the recommendations described in this section and any other stakeholder
 13 group recommendations, the commission shall to the greatest extent practicable ensure that
 14 the recommendations reflect consensus among the stakeholder group members.

15 **Sec. 2. Public Utilities Commission; report. Resolved:** That, on or before
 16 December 1, 2021, the Public Utilities Commission shall submit a report to the Joint
 17 Standing Committee on Energy, Utilities and Technology detailing the work of the
 18 stakeholder group under section 1 and including proposals and other recommendations to
 19 implement the recommendations described in section 1. The report must identify any
 20 recommendations on which the stakeholder group failed to reach consensus and must
 21 include a description of the technical specifications, rules or policies necessary to
 22 implement the stakeholder group's recommendations, a proposed timeline for
 23 implementation and any technical or legal barriers to implementation. After reviewing the
 24 report, the committee may report out a bill related to the report to the Second Regular
 25 Session of the 130th Legislature.

26 **SUMMARY**

27 This resolve directs the Public Utilities Commission to convene a stakeholder group to
 28 develop recommendations for the implementation of 3rd-party administration of utility
 29 pole attachment joint use under the Maine Revised Statutes, Title 35-A, section 711. The
 30 commission is directed to submit a report to the Joint Standing Committee on Energy,
 31 Utilities and Technology on or before December 1, 2021 detailing the work of the
 32 stakeholder group and including proposals and other recommendations to implement the
 33 recommendations. After reviewing the report, the committee may report out a related bill
 34 to the Second Regular Session of the 130th Legislature.