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Date: (Filing No. S- )

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**STATE OF MAINE**  
**SENATE**  
**130TH LEGISLATURE**  
**FIRST SPECIAL SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 894, L.D. 1219, “Resolve, To Facilitate the Modernization and Streamlining of the Utility Pole Attachment Process”

Amend the amendment by striking out all of section 1 and inserting the following:

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

1. A framework for ensuring that 3rd-party administrators are not joint use entities or utility pole owners in the State and do not own and are not affiliates of a joint use entity or utility pole owner. The framework must prohibit a board member or executive officer of a joint use entity or utility pole owner in the State or an affiliate of a joint use entity or utility pole owner from serving as a 3rd-party administrator or as a board member, executive officer or employee of a 3rd-party administrator; and

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

As used in this section, "joint use entity" has the same meaning as in Title 35-A, section 711, subsection 7, paragraph B and "affiliate" has the same meaning as in 47 United States Code, Section 153(2).'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment provides that the framework to be developed under the resolve for implementation of 3rd-party administration of utility pole attachment joint use must prohibit as a 3rd-party administrator a joint use entity or utility pole owner in the State or an owner or affiliate of a joint use entity or utility pole owner. It also provides that the framework must prohibit a board member or executive officer of a joint use entity or utility pole owner in the State or an affiliate of a joint use entity or utility pole owner from serving

**SENATE AMENDMENT**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 894, L.D. 1219

1 as a 3rd-party administrator or as a board member, executive officer or employee of a 3rd-  
2 party administrator.

3 **SPONSORED BY:** \_\_\_\_\_

4 **(Senator SANBORN, H.)**

5 **COUNTY: Cumberland**