

**Maine Broadband Coalition****Testimony in Support of LD 1456: : An Act to Facilitate the Expansion of Broadband****April 17, 2023**

Senator Lawrence, Representative Zeigler, and members of the Committee on Energy, Utilities and Technology, my name is Joe Oliva, and I offer this testimony on behalf of the Maine Broadband Coalition in support of LD 1456, An Act to Facilitate the Expansion of Broadband.

The Maine Broadband Coalition seeks to represent a wide range of perspectives in Maine's broadband landscape but is fundamentally concerned with giving voice to internet users across the state to secure universal, affordable, and equitable access to broadband connectivity that serves both current and future needs.

As such, we offer support to LD 1456 due to its intention of streamlining the pole attachment process. We believe that, in the face of a challenge as monumental as connecting every Mainer to high-speed, affordable broadband, all options should be on the table. One of the biggest obstacles facing municipal and non-incumbent providers in implementing broadband projects – often community-led projects and as the result of substantial volunteer effort – is the pole attachment process.

While we support the intention of this bill, we also acknowledge the proposed language to be added to 35-A MRSA §4, requiring reduced or capped joint use rates for certain utility pole attachers may be preempted by 47 USC §224(f)(1). The Maine Broadband Coalition appreciates what that language aims to address, but is concerned with the legality and fairness of the clause. It should also be noted that Chapter 880 pole attachment rules are already favorable for attachers (more so than many other states), but as a practical matter pole owners do not always comply with all current rules and attachers must actively dispute pole owner initial responses to gain use of poles. Some simply do not know they have this right or how to proceed. Part of the solution to this problem must include additional education for potential attachers to ensure they know their rights and how to use the dispute resolution process already in place.

We applaud efforts to help facilitate a smoother and more effective pole attachment process, and offer our testimony as encouragement to ensure that LD 1456 hits its mark.