

**SUPPORT: LD 1456 "Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband"**



April 18, 2023

Senator Lawrence, Representative Zeigler, and distinguished members of the Joint Standing Committee on Energy, Utilities, and Technology, My name is Andrew Butcher, and I am the President of the Maine Connectivity Authority. Today, I testify in support of LD 1456, "Resolve to Study the Effect of Current Laws and Rules on the Expansion of Broadband."

The amended language provides a mechanism to gather empirical data on the issues of utility pole access that we hear about daily. The "make-ready process" is intended to ensure coordinated equipment installation onto the precious limited space on a utility pole yet is fraught with complications that can delay or even jeopardize a broadband project's viability. The study components will provide necessary insight into these issues as we prepare for a phase of broadband infrastructure deployment 20 times current levels.

The Maine Connectivity Authority (MCA), in partnership with the Governor's Office of Policy Innovation and the Future, the Maine Department of Transportation, the Office of Information Technology, the Public Utilities Commission, leads a new Interagency Broadband Working Group, a codified subcommittee of the Governor's Infrastructure Implementation Committee. The Working Group would be an effective stakeholder group to bring together relevant state agencies to study the issues presented in LD 1456. As such I offer the following friendly amendment for your consideration:

*That the Public Utilities Commission, in consultation with the Maine Connectivity Authority, established in the Maine Revised Statutes, Title 35-A, section 9404, will submit a report based on input and analysis from Interagency Broadband Working Group towards a study of current pole attachment laws, rules and the effects of those laws and rules on the municipal broadband expansion, either through public networks or public-private partnerships.*

In May, Central Maine Power is launching a pole database system that should streamline the process for attachers and pole owners. Conducting the study this year will allow for data collection showing the impact on projects underway prior to implementation and those started after implementation. It is necessary to study the performance and operational considerations of such a system if we are asking for all attachers to contribute to the sustainability of a single pole database. There will need to be a clear demonstration of an improved, accelerated and lower cost process for future use. With the database system coming online next month, I would suggest that the study timeline be pushed to March 2024 to allow more time to study the impact of the system. While time is of the essence and pole attachment make-ready improvements are urgent, we have the unique opportunity to evaluate the impact of a system as it launches and should capitalize on that timeframe.

Further, I suggest that the study be expanded to include all currently funded ConnectMaine and MCA projects, regardless of the attaching entity or final network owner. This would allow for a comparison across project types to determine if there is a need to improve the process for a specific project type. Thank you for your consideration and attention to this critical issue. The Maine Connectivity Authority will be available for the work session.

In Service - Andrew Butcher, President