



State of Utah
Department of Commerce
Division of Public Utilities

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--= MEMORANDUM =--

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Casey J. Coleman, Utility Technical Consultant

Date: April 13, 2015

Re: In the Matter of the Application for Approval of the CenturyLink Updated Standard Template Pole Attachment Agreement Docket No. 15-049-05.

RECOMMENDATION:

The Division recommends the Commission approve the updated standard template pole attachment agreement submitted by CenturyLink.

BACKGROUND:

On March 20, 2015 Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) filed a petition with the Commission requesting approval of an updated pole attachment agreement. This template is an effort by CenturyLink to update the “Safe Harbor” agreement previously used by CenturyLink.

The Division reviewed the agreement filed with the Commission and recommends the approval of the contract. The Division believes that CenturyLink has captured the applicable changes and modifications that have occurred with pole attachment agreements over the last few years. As contemplated with a “Safe Harbor” agreement, this contract appears to provide an acceptable contract that could be used by interested parties when attaching to CenturyLink’s poles.

As outlined in Utah Administrative Code R746-345-3 the Agreement specifies the rates, terms, and conditions for any pole attachment. Details in the Agreement, give a description of the permitting process, the inspection process, the joint audit process, including shared scheduling and costs, and any non-recurring fee or charge applicable to emergency access provisions and any back rent.

Additionally, since this Docket was opened by the Commission, no other parties have filed any comments opposing this Pole Attachment agreement. If the Commission does not receive any additional comments once the April 20, 2015 deadline passes, the Division recommends the Commission approve the pole attachment agreement.

cc: Justin Jetter, Assistant Attorney General
Torry R. Somers, CenturyLink
James Farr, CenturyLink