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Attorney for Qwest Corporation d/b/a CenturyLink QC

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Approval of the
Joint-Use Pole Attachment Agreement between
Spanish Fork City and
Qwest Corporation d/b/a CenturyLink QC

Docket No. 15-049-07

**MOTION FOR APPROVAL OF
JOINT-USE POLE ATTACHMENT
AGREEMENT BETWEEN SPANISH
FORK CITY AND QWEST
CORPORATION**

Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) respectfully submits the attached Exhibit 1, Joint-Use Pole Attachment Agreement (“Agreement”) between CenturyLink and Spanish Fork City, for the Public Service Commission's review and approval under Utah Administrative Code R746-345-3.¹

This agreement is a negotiated agreement² between CenturyLink and Spanish Fork City, a municipality which operates its own electric utility. Both CenturyLink and Spanish Fork City

¹ Spanish Fork City as a municipality with its own electric utility is not under the jurisdiction of the Utah Public Service Commission. However, CenturyLink as a public utility is under the Commission’s jurisdiction and therefore believes it needs to file this agreement pursuant to the Public Service Commission pole attachment rule requirements located in R746-345-3.

² CenturyLink does not have a Commission approved template or “Safe Harbor” Joint-Use Pole Attachment Agreement. It is anticipated that all Joint-Use Pole Attachment Agreements with power companies, including municipal power companies, will be negotiated agreements and there is no reason to have a “Safe Harbor” agreement.

are pole owners within the Spanish Fork City boundaries and this joint-use pole attachment agreement governs the terms, conditions and rates for CenturyLink to attach to Spanish Fork City poles, and for Spanish Fork City to attach to CenturyLink poles. The following summarizes key items within this agreement:

Summary:

- Annual pole attachment rate of \$15 per pole.
- Rate remains flat through at least 2015.
- Joint-use finance has been accruing the previous years' rental covered by the new agreement (2013-14).
- Effective Date: January 1, 2013
- Term: 5 year initial term.
- Renewal Term: 1 year auto-renewals.
- Termination: 6 month advance written notice required before the end of any term.
- Pole rental rate adjustment: Maximum of 3% annual increase.
- Make ready work: To be determined on a case by case basis.
- Post Attachment Inspection: N/A
- Unauthorized Attachments: 3 years' back rent.
- Noncompliant Attachments: To be maintained and corrected at attaching party's expense.
- Application Fee: N/A

CenturyLink respectfully requests the Commission approve the attached Agreement.

RESPECTFULLY SUBMITTED this 8th day of May, 2015.

CENTURYLINK



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