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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>In the Matter of the Proposed Rule Change Regarding Pole Attachments and Public Utility Companies</p>	<p><u>Docket No. 06-R345-01</u></p>
<p>In the Matter of an Investigation into Pole Attachments</p>	<p><u>Docket No. 04-999-03</u> Utah Rural Telecom Association’s First Set of Comments to Proposed Rule R746-345-3 Tariffs and Contracts (Make-Ready Work)</p>

The Utah Rural Telecom Association (“URTA”) makes the following comments on the proposed changes to R746-345-3 published May 1, 2006:

This proposed rule gives control to electrical corporations for all make-ready work in electrical utility space on poles. In addition, the new language in R746-345-3 C. and C.8. restricting the self-build option to attachments outside the electrical utility space defeats the purpose of the self-build option and of having an approved list of contractors available to perform the work. In any make-ready project requiring that an electrical attachment be moved, there would be no point to exercise the self-build option because an attacher would have to wait for the electrical corporation to do the work in the electrical space on the pole. That could also affect a telecommunications pole owner with an electrical attachment on its pole that needs to rearrange the attachments on the pole. If the electrical attachment had to be moved, could the pole owner use anyone but the electrical corporation to move that attachment? If not, the

proposed rule gives control of the telecommunications pole owner's pole to the electrical corporation, at least with respect to the electrical attachment.

URTA acknowledges that there are safety concerns unique to electrical pole attachments, but the approved contractors are most likely the same contractors the electrical corporations will use to perform any make-ready work in the electrical utility space on the poles they are unable to do themselves. That should allay any safety concerns.

URTA recommends the Commission not adopt the new language and instead adopt the rule as it was proposed originally. If the Commission continues to have safety concerns with respect to electrical attachments, the URTA still recommends that the new language in the proposed rule be eliminated but suggests that the existing language in R746-345-3 C.8. be modified as follows: "If the applicant rejects the make-ready estimate for an approved applications for whatever reason, the applicant may, at its own expense, use approved contractors certified to perform the proposed work to self-build the required make-ready work subject to the pole owner's inspection." The attachment would continue to be subject to the pole owner's inspection. That and language similar to URTA's proposed language ensures that all attachments will be treated safely and on equal terms. As the rule is proposed, the self-build option is always available for telecommunications attachments and is never available for electrical attachments.

Respectfully submitted this 31st day of May, 2006.

Callister Nebeker & McCullough

Stephen F. Mecham

Certificate of Mailing

I hereby certify that the 31st day of May, 2006, I emailed a true and correct copy of the foregoing Utah Rural Telecom Association's First Set of Comments to Proposed Rule R746-345-3 Tariffs and Contracts (Make-Ready Work) to the following:

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