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Attorney for Qwest Corporation d/b/a CenturyLink QC

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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

Docket No. 15-049-03

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

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Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) respectfully submits the attached Exhibit 1, Joint-Use Pole Attachment Agreement (“Agreement”) between CenturyLink and Springville City, for the Public Service Commission's review and approval under Utah Administrative Code R746-345-3.<sup>1</sup>

This agreement was a negotiated agreement<sup>2</sup> between CenturyLink and Springville City, a municipality which operates its own electric utility. Both CenturyLink and Springville City are

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<sup>1</sup> Springville 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.

<sup>2</sup> 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.

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

**Summary:**

- Annual pole attachment rate of \$17 per pole.
- Rate remains flat for 5 years.
- Effective Date: 12/01/2014
- Term: 5 year initial term.
- Renewal Term: 1 year auto-renewals.
- Termination: 6 month termination notice prior to the end of the initial term or renewal term.
- Pole rental rate adjustment: Maximum of 3% annual increase after first 5 years.
- Make ready work: To be determined on a case by case basis.
- Post Attachment Inspection: None
- Unauthorized Attachments: 3 years' back rent.
- Noncompliant Attachments: To be maintained and corrected at attaching party's expense.
- Application Fee: None
- Audit Requirements: An inspection may be conducted once every 5 years. Each party will be responsible for its pro-rata share of the inspection.

CenturyLink respectfully requests the Commission approve the attached Agreement.

RESPECTFULLY SUBMITTED this 29th day of January, 2015.

CENTURYLINK



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