



July 25, 2018

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment,
WC Docket No. 17-84**

Dear Ms. Dortch:

The Power and Communication Contractors (PCCA) represents contractors, manufacturers, and distributors who build and repair America's power and communications infrastructure, including electric transmission, distribution, and substation facilities and broadband, telephone, and cable television systems. On July 12, FCC issued its *Third Report and Order* that would adopt a new framework for the majority of pole attachments governed by federal law by establishing a "one-touch make-ready" (OTMR) policy, where a new attacher or approved contractor would be allowed to perform all work to prepare a utility pole for new attachments.

PCCA supports FCC's Draft Order because OTMR avoids multiple truck rolls, expedites the attachment process, and can reduce disruptions to consumers. The OTMR option would apply only to "simple" make-ready work and would not be available for "complex" work involving electric-supply facilities that poses greater safety threats or is more likely to cause an outage or damage. FCC's proposed OTMR policy would significantly improve the current practice of sequential make-ready work by multiple crews while also ensuring that make-ready work on electrical facilities is conducted by personnel capable of performing it.

Earlier this year, PCCA met with the representatives from the offices of all FCC Commissioners to discuss comments submitted to FCC's proposed rule, *Accelerating Wireline Broadband Deployment to Infrastructure Investment (FR Vol. 82, No. 89 21761)* that questioned the quality and safety of contractor work. These unwarranted claims were also expressed during conversations of the FCC's Broadband Deployment Advisory Committee, where certain BDAC members implied that damage to broadband facilities are likely to result from the work of new attachers because their contractors are not generally familiar with the existing attacher's networks and service quality standards. They said that these concerns are compounded by the fact that many new attachers are likely to be competitors of the existing attachers, and contractors will have little economic incentive to work safely around existing equipment on poles.

PCCA informed FCC that the vast majority of broadband construction is contracted out, and that PCCA represents approximately 85 percent of the construction companies performing this work. Safety is paramount in contractor operations, and PCCA contractors perform quality work for all carriers large and small, urban and rural. PCCA believes that debate about OTMR is based on timing and efficiency,

not safety. Attacks on contractor performance seem to be veiled attempts by existing attachers to obstruct access to poles that include their facilities. In some cases, existing attachers seem to use delay tactics to keep the competition out.

PCCA was pleased to see that the draft order concluded that FCC was “not convinced by the arguments made by some commenters that OTMR will allow make-ready work to be performed by new attachers that lack adequate incentives to perform quality work” and that “the new attacher and its chosen contractor have an incentive to perform quality work in order to limit risk, keep workers safe, and avoid tort liability for damages caused by substandard work.”

In addition, the issue of use of union versus non-union contractors has been discussed by BDAC. PCCA’s membership includes both union and non-union members, and despite claims of certain labor organizations, OTMR work can be and is performed safely by union and non-union crews.

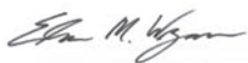
PCCA also supports language in the draft order that would reaffirm the FCC’s longstanding policy of allowing attachers to “overlash” new wires onto their existing wires without first seeking approval from the pole owner.

To deploy broadband most efficiently, PCCA believes FCC should focus on building fiber-based infrastructure and avoid repairing antiquated copper systems and becoming mired with bureaucratic hurdles that continue to obstruct effective broadband deployment. Failure to replace old copper systems is by far the biggest impediment to effective and sustainable broadband deployment and is inconsistent with Chairman Pai’s goal of making the most of taxpayer dollars. Further, PCCA believes FCC should pursue “future proof” broadband speeds of 100/100 Mbps to allow use of technology needed for technological advancements

Contractors will continue to play a significant role in the broadband deployment process, and the vast majority of broadband work is contracted out, performed safely and effectively by contract personnel. We work for all types of broadband carriers, including the ones who are scapegoating contractors as a way to obstruct policy that would facilitate access to utility poles to new attachers.

PCCA supports the abovementioned provisions included in the draft order. They will expedite the deployment process while providing safeguards to ensure for safe and quality construction of broadband infrastructure. Please feel free to contact me at (703) 750-1326 or eben@wymanassociates.net if you have any questions regarding these matters.

Regards,

A handwritten signature in dark ink, appearing to read "Eben M. Wyman".

Eben M. Wyman
Principal, E. Wyman Associates, LLC