

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Declaratory Ruling that the)	WC Docket No. 09-154
Telecommunications Rate Applies to Cable System)	
Pole Attachments Used to Provide Interconnected)	
Voice Over Internet Protocol Service)	

REPLY COMMENTS OF VERIZON¹

There is overwhelming support in this and the broader pole attachment proceeding to move to a single, uniform rate for all broadband pole attachments.² The Commission should act now to adopt the lowest possible uniform rate for broadband pole attachments in order to facilitate and encourage broadband deployment. This approach would best serve the broadband agenda and would address one of the significant impediments to broadband deployment already identified by the Commission’s broadband team. *See* Presentation by Broadband.gov, Federal Communications Commission, September Commission Meeting – 141 days until Plan is due (Sept. 29, 2009) (“Broadband Presentation”), at 50 (Attachment A) (“The cost of obtaining pole attachments and rights of way may have a significant impact on fiber deployment.”)

¹ The Verizon companies participating in this filing (“Verizon”) are the regulated, wholly owned subsidiaries of Verizon Communications Inc.

² *See, e.g.*, ITTA Comments at 1, 3; Qwest Comments at 5-7; National Cable & Telecommunications Ass’n Comments at 14-23; tw telecom Comments at 2-4; American Cable Ass’n Comments at 7; United States Telecom Ass’n Comments at 3-4; AT&T Comments at 3-4.

The electric companies' suggestion³ to require that all VoIP attachments pay the higher telecommunications rate and not the lower cable rate is a step in the wrong direction. If adopted, that approach would make the Commission's goal of ubiquitous broadband access even more difficult. In fact, to encourage broadband deployment and investment, if the choice is between the two existing rates as the electric companies propose, the Commission should adopt the lower cable rate as the uniform rate for all broadband attachments. Aerial fiber is essential to current broadband networks (as well as any effort to expand the reach of broadband facilities) – and the cost of deploying aerial fiber is expensive. Broadband Presentation at 50. The Commission has a fully vetted record and a ready solution⁴ to fix that problem with a uniform pole attachment rate that applies to all broadband providers. All parties – consumers, providers, and policymakers alike – would be best served by prompt Commission action adopting its own tentative conclusion to move to a single rate for all broadband pole attachments.⁵

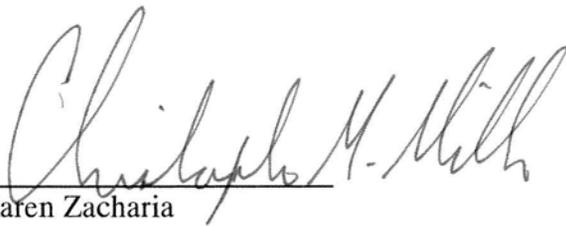
³ American Electric Power Service Corporation, Duke Energy Corporation, Southern Company, and Xcel Energy Services Inc., *Petition for Declaratory Ruling that the Telecommunications Rate Applies to Cable System Pole Attachments Used to Provide Interconnected Voice over Internet Protocol Service*, WC Docket No. 09-154 (Aug. 17, 2009).

⁴ See, e.g., Comments of Verizon, *Implementation of Section 224 of the Act; Amendment of the Commission's Rules and Policies Governing Pole Attachments*, WC Docket No. 07-245, RM-11293, RM-11303 (March 7, 2008).

⁵ *Implementation of Section 224 of the Act; Amendment of the Commission's Rules and Policies Governing Pole Attachments*, Notice of Proposed Rulemaking, 22 FCC Rcd 20195, ¶ 36 (2007). (“due to the importance of promoting broadband deployment and the importance of technological neutrality . . . all categories of providers should pay the same pole attachment rate for all attachments used for broadband Internet access service.”).

Respectfully submitted,

Michael E. Glover, *Of Counsel*

By: 

Karen Zacharia

Christopher M. Miller

Rashann R. Duvall

VERIZON

1320 North Courthouse Road

9th Floor

Arlington, VA 22201-2909

(703) 351-3071

October 9, 2009

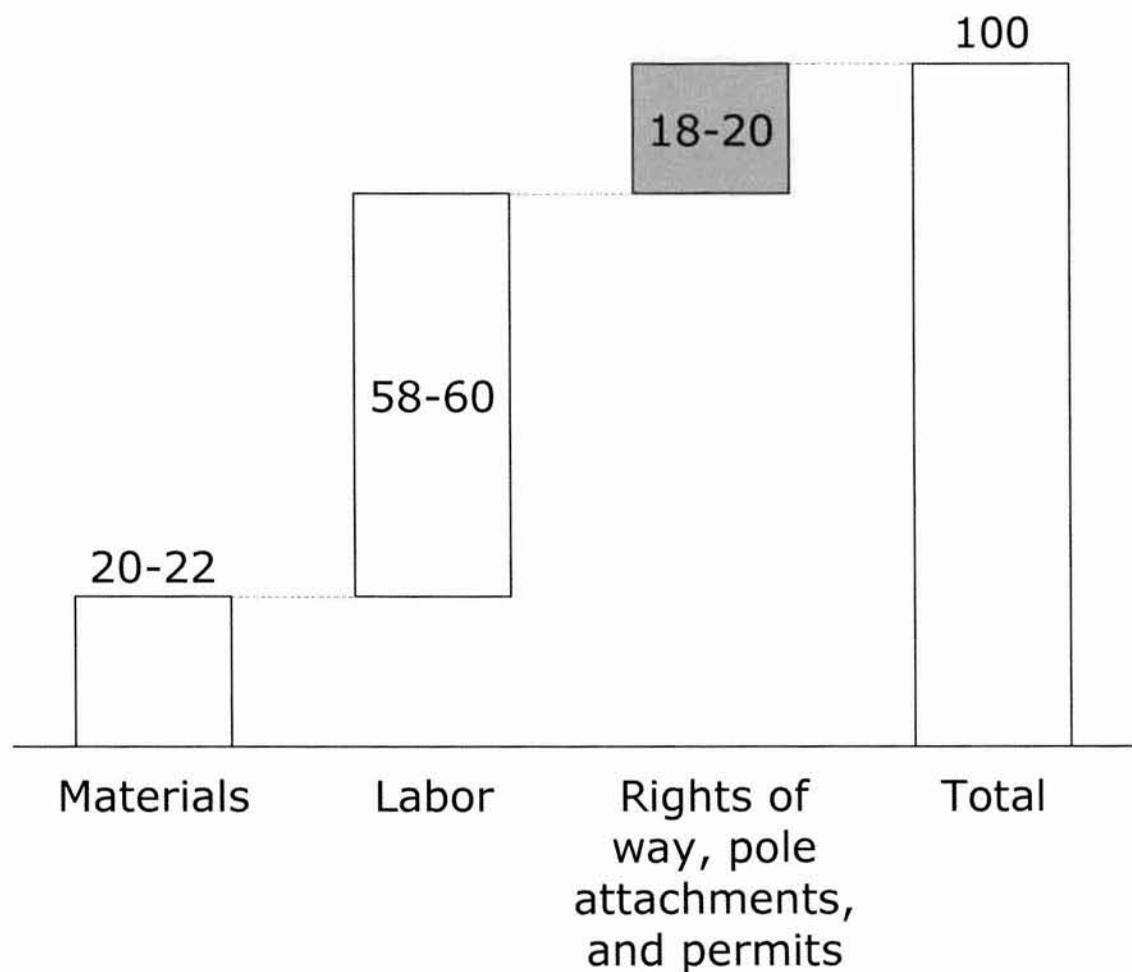
Attorneys for Verizon

ATTACHMENT A

The cost of obtaining pole attachments and rights of way may have a significant impact on fiber deployment

Estimated total cost of an aerial fiber build

Percent



- Make-ready charges can average \$4-6,000/mile
- Make-ready delays of up to 18-24 months can also raise cost of fiber deployment
- Rights of way fees are highly variable and can exceed hundreds of dollars per year per foot