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December 3, 2009

Via Electronic Comment Filing System (ECFS)

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

Re: GN Docket No. 09-51
WC Docket No. 07-245

***EX PARTE* NOTICE**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, we are filing this notice in the referenced proceedings.

On December 2, 2009, Mr. Julius ("Jay") Griles, Manager, Delivery Design, Virginia Electric and Power Company, d/b/a Dominion Virginia Power, met with members of the Commission's Broadband Team, specifically, Albert Lewis (WCB), Marvin Sacks (WCB), Jeremy Miller (WCB), Jonathan Reel (WCB), Marcus Maher (WCB), Elvis Stumbergs (MB), Thomas Koutsky (OSP) and Nick Sinai (OSP). Mr. Griles was accompanied by undersigned counsel.

During this meeting the attached presentation was distributed and discussed. It was emphasized that the Commission must look beyond broadband deployment and promote an "infrastructure partnership" between pole owners and broadband providers because both depend on the reliability of the infrastructure for delivery of services. The points made in the discussion were consistent with points that have been made previously in written comments filed by Dominion Virginia Power and Ameren Services Company in the referenced proceedings.

Very truly yours,

Raymond A. Kowalski

Raymond A. Kowalski

Attachments

cc: via email w/o attachments: Albert Lewis
Marvin Sacks
Jeremy Miller
Jonathan Reel
Marcus Maher
Elvis Stumbergs
Thomas Koutsky
Nick Sinai

Empowering Electric Utilities to Facilitate Broadband Deployment

GN Docket No. 09-51

A National Broadband Plan for Our Future

Presentation by

Ameren

Dominion

Electric Utilities Can Actively Advance the FCC's National Broadband Plan

- Infrastructure Has Always Been Key to the Exchange of Products and Information: Waterways, Roads, Railroads, Telephone, Electric Distribution (per Chairman Genachowski), Broadband
- Moving People, Cargo or Communications

  Depends on Safe, Reliable, Well Maintained Infrastructure
- Tens of Millions of Pole Attachments are Already in Place and Provide The Infrastructure for Broadband Deployment

New Infrastructure Always Builds on the Old

- Roads → Interstate Highways
- Canals → St. Lawrence Seaway
- Telegraph → Telephone
- Cable → Broadband
- Broadband Expansion into Un-served and Underserved Areas Will Require Even Better Partnering Between Service Providers and Infrastructure Owners

Broadband Needs an Infrastructure Partnership

- Realization of Mutual Benefit Enhances Partnerships
- Safety, Reliability and Reasonable Cost Allocation are Mutually Beneficial to Broadband Service Providers and Infrastructure Owners

Achieving Safety, Reliability and Reasonable Cost Allocation

- These Critical Goals are Attainable Through:
  - Supporting the Existing Pole Attachment Regulations Regarding Permitting and Make Ready Activity
  - Establishing a Broadband Rate that Reasonably and Fairly Shares the Cost Associated with Infrastructure Maintenance

Broadband Is Facilitated by the Electric Utility Infrastructure

- Broadband Goes Where Electric Distribution Goes
- Both Need Dependable, Safe and Reliable Supporting Infrastructure
- Most of the Planning, Construction, Zoning, Siting, Accessibility and Public/Governmental Issues Have Been Solved by Prior Electric Facility Placement

Broadband and Electric Utility Infrastructure: A Natural Partnership

- Poles Are Logical Location for Broadband Facilities
- Common Interest in Keeping the Poles Upright and All Wires Working
- Electric Utilities Accept Primary Responsibility for Prompt Restoration of Damaged Plant
- Public Interest in Communications and Power Is Best Served by Partnership, Especially in Crisis

Electric Utility Infrastructure Saves Costs for Broadband

- Avoided Cost of Constructing Infrastructure Elements
- Provides Multiples of Value Through Existing Corridors (i.e. Distribution Networks) and Proximity to Customer Premises
- Limits Zoning Issues
- Limits Maintenance
- Cost-Based Attachment Rates

FCC Broadband Plan Should Promote This Natural Partnership

- Instill Joint Concern for Infrastructure Integrity
- Foster Awareness of Each Side's Priorities by the Other
- Avoid Jeopardizing Electric Distribution Network
- Create a Balance of Financial Incentives
- EMPOWER ELECTRIC UTILITIES TO FACILITATE BROADBAND DEPLOYMENT