



May 7, 2010

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Portals II, Room TW-A325
Washington, DC 20554

**Re: *Commission's Rules and Policies Governing Pole Attachments
WC Docket No. 07-245.***

Dear Ms. Dortch:

This is to inform you that on May 7, 2010, Glenn Reynolds and Kevin Rupy, representing USTelecom, met with the staff identified below from Chairman Genachowski's office and the Wireline Competition Bureau, in connection with the proceeding identified above. During the meeting, we discussed the importance of rate parity for broadband pole attachments between all classes of providers to ensure a technology neutral and level playing field where broadband deployment will flourish, and consumers will benefit. We also pointed out that the Commission has ample statutory authority to accomplish that goal. Commission staff was provided with the attached documents for discussion purposes.

Pursuant to Section 1.1206(b) of the Commission's rules, one copy of this electronic notice is being filed in the above-referenced dockets. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Glenn Reynolds".

Glenn Reynolds
Vice President, Law & Policy

cc: Priya Aiyer
Sharon Gillette
Marcus Maher
Al Lewis
Jeremy Miller
Jon Reel
Marvin Sacks
Jennifer Prime
Randy Clarke



We are Broadband.

USTelecom Pole Attachment Ex Parte Presentation

May 7, 2010

WC Docket No. 07-245

National Broadband Plan Findings on Pole Attachments

Recommendation 6.1

“The FCC should establish rental rates for pole attachments that are as low and close to uniform as possible, consistent with Section 224 of the [Act], to promote broadband deployment.” National Broadband Plan, page 110.

The FCC’s National Broadband Plan concluded that:

- Pole attachments rates should be as low and as close to uniform as possible.
- There is wide variation in rental rates paid by broadband providers to attach to utility poles: \$7 year/cable; \$10 year/CLEC; and more than \$20 year/ILEC.
- The impact of these rates *“can be particularly acute in rural areas,”* due to there being more poles per mile than households.
- Uniform and lower rates could result in the *“typical monthly price of broadband for some rural consumers . . . fall[ing] materially.”*

Disparity in Pole Attachment Rates is Significant, Consistent and Widespread

Findings of 2007 USTelecom Member Survey

- USTelecom identified instances where ILECs pay more than 1,400% more for pole attachments than their cable counterparts.
- The disparity between ILEC and CLEC rates while not as high as cable, are significant -- in some instances near 900%.
- In a sampling of 13 FCC regulated states, USTelecom found that:
 - ILECs pay more than 8 times what cable providers pay per attachment;
 - ILECs pay almost 6 times the rate paid by CLECs;
 - In dollar terms,
 - ILECs on average pay over \$26.00
 - Cable on average pays \$3.26; and
 - CLECs on average pay \$4.45

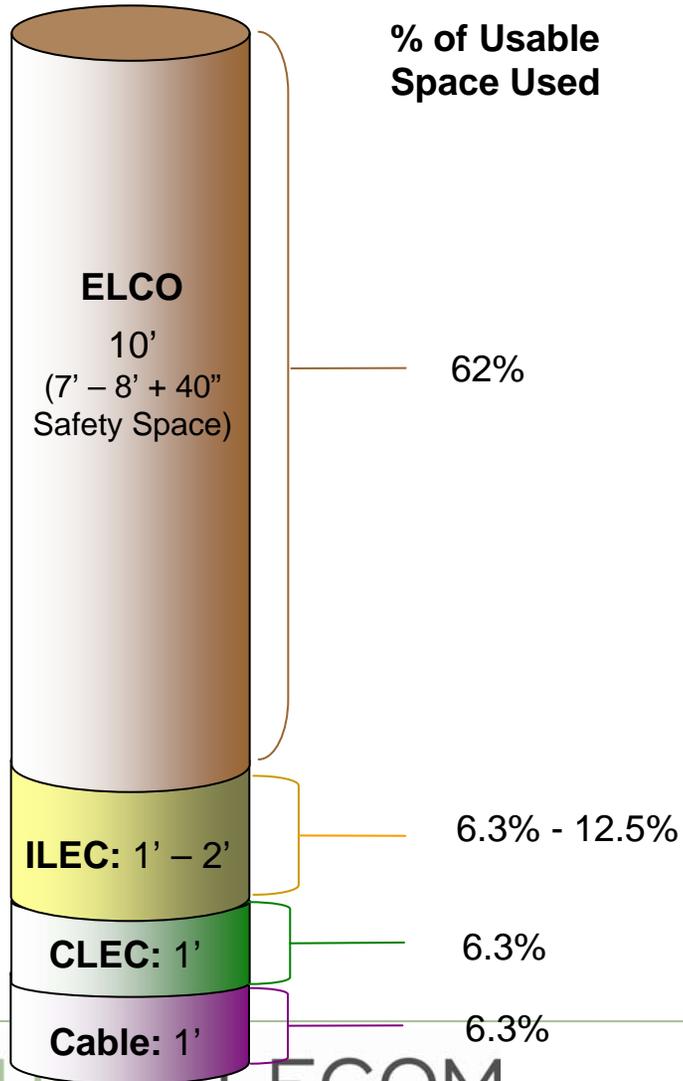
A Sampling of Pole Attachment Rates

State	Average Rate Charged			Percentage Difference in Rates	
	ILEC Rate	Cable Rate	CLEC Rate	ILEC vs. Cable	ILEC vs. CLEC
State 1	\$51.76	\$3.43	\$5.20	1409%	895%
State 2	\$43.71	\$3.61	\$5.43	1111%	705%
State 3	\$34.08	\$3.27	\$14.30	942%	138%
State 4	\$34.95	\$3.60	\$3.44	871%	916%
State 5	\$37.55	\$4.62	\$9.85	713%	281%
State 6	\$34.53	\$4.28	\$6.30	707%	448%

Source: *USTelecom Comments*, WC Docket No. 07-245, March 7, 2008, p. 8.

Current Status Quo (40 Foot Pole)

Feet Used



Pole Feet Paid For

