INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE

POLE ATTACHMENTS

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ITTA service areas

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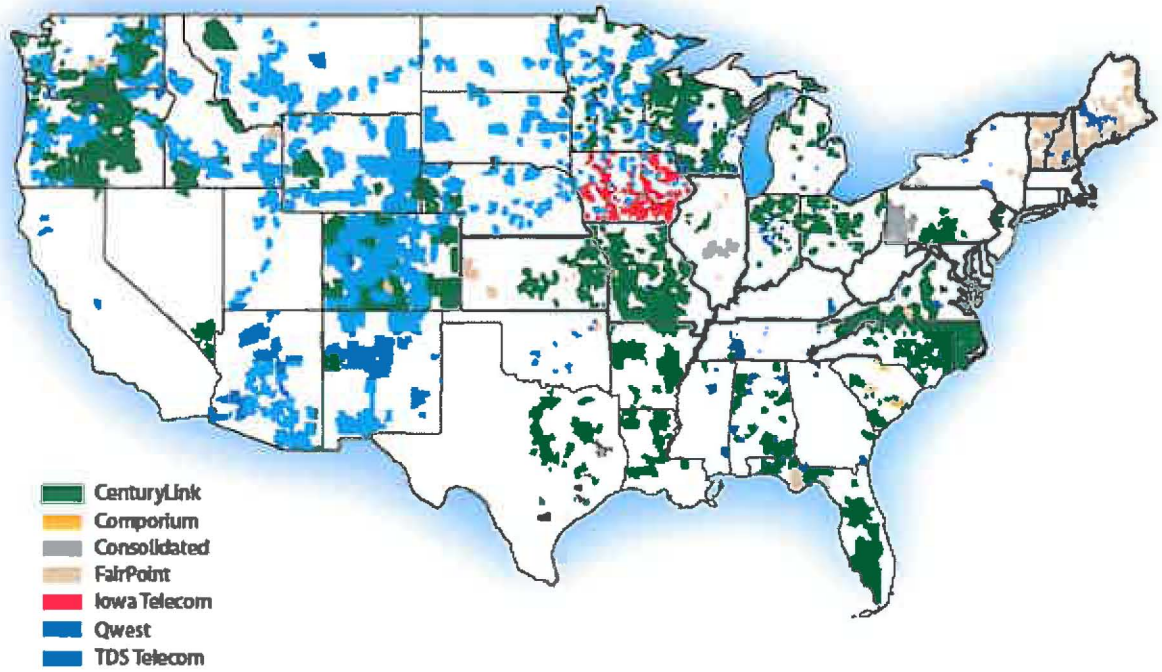

Serving more than 24 million customers in 44 states

The Act guarantees just and reasonable rates, terms, and conditions

- Incumbent local exchange carriers have a right to reasonable and non-discriminatory pole attachment rates, terms, and conditions
  - Section 224(a)(4): pole attachments are attachments by "providers of telecommunications services"
  - Exclusionary language of 224(a)(5) refers to rights to access
  - Once access is obtained, rates, terms, and conditions must be just and reasonable
- Improper provision of pole attachments to ILECs can thwart deployment of advanced services

ILECs pay significantly more than other entities

- Despite statutory mandate, current rules fail to provide adequate remedy
  - Rates
  - Dispute resolution
- ITTA members have been subject to pole attachment rates as high as 500 percent more than rate paid by cable in same area, and 300 percent more paid by CLEC in same area
  - ITTA members have been required to shoulder disproportionate share of liability
  - ITTA companies have been forced to bear costs unrelated to their needs

Deployment of advanced services is thwarted

- "Broadband by wire" provides most robust user experience
- Aerial cable is the most cost-effective method of facilities deployment in many ITTA areas
- Unlawful rates can compel recovery in end-user charges, depressing take rates and affecting build-out adversely
- National Broadband Plan recognizes role of pole attachments in deployment

Uniform rate for broadband attachments

- Cable providers, CLECs, and ILECs pay different rates for attachments used to provide the same service
- The incidence of cable-provided VoIP illustrates the confounding results of disparate rate formulae
- The FCC should implement a single rate for broadband attachments
  - Increases regulatory parity
  - Diminishes disruptive market signals
  - Preempts inappropriate regulatory advantage

Utility approaches augur increased costs

- "Per attachment" proposals threaten exponential increase
- Could subject each overhead guy, service drop, rise, and MGN to separate charge
- Would require extensive and burdensome tracking and billing processes

About ITTA

ITTA members are mid-size local exchange carriers that provide a broad range of high-quality wireline and wireless voice, data, Internet, and video telecommunications services to 24 million customers in 44 states

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