

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

OPINION NO. 83-4

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Office of the Secretary

CASE 26494 - NEW YORK STATE CABLE TELEVISION ASSOCIATION -
Investigation of pole attachment and related
agreements between utilities and CATV systems.

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OPINION AND ORDER CONCERNING
POLE ATTACHMENT RATES

Issued: January 31, 1983

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STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

APPEARANCES

Hogan & Hartson (by Jay E. Ricks, Esq. and Gardner F. Gillespie, Esq.), 815 Connecticut Avenue, Washington, D. C. 20006, for the New York State Cable Television Association.

Howard J. Read, Esq. and John W. Dax, Esq., Three Empire State Plaza, Albany, New York 12223, for the Staff of the Department of Public Service.

George E. Ashley, Esq., Keith McClintock, Esq., John M. Clarke, Esq., Melvin A. Cohen, Esq. and Edward R. Wholl, Esq., 1095 Avenue of the Americas, New York, New York 10036, for the New York Telephone Company.

John H. Terry, Senior Vice-President and General Counsel (by Herman B. Noll, Esq. and Harvey O. Simmons, Esq.), 300 Erie Boulevard West, Syracuse, New York 13202, for the Niagara Mohawk Power Corporation.

Nixon, Hargrave, Devans & Doyle (by Michael R. Wolford, Esq., Michael Tomaino, Esq. and Jonathan H. Winer, Esq.), Lincoln First Tower, Rochester, New York 14603, for the Rochester Telephone Corporation.

Nixon, Hargrave, Devans & Doyle (by Michael R. Lindburg, Esq. and Stanley W. Widger, Esq.), Lincoln First Tower, Rochester, New York 14603, for the Rochester Gas and Electric Corporation.

Huber, Magill, Lawrence & Farrell (by Frank J. Miller, Esq.), 99 Park Avenue, New York, New York 10016, for the Continental Telephone Company of Upstate New York, Inc.

Gould & Wilkie (by Davison W. Grant, Esq.), One Wall Street, New York, New York 10005, for the Central Hudson Gas & Electric Corporation.

Donal P. McCarthy, Esq., 4 Irving Place, New York, New York 10003, for the Consolidated Edison Company of New York, Inc.

Edward M. Barrett, General Counsel (by Roy E. Monaco, Esq.),
250 Old Country Road, Mineola, New York 11501, for the Long
Island Lighting Company.

Huber, Magill, Lawrence & Farrell (by Francis I. Fallon, Esq.),
99 Park Avenue, New York, New York 10016, for the New York
State Electric & Gas Corporation.

LeBoeuf, Lamb, Leiby & MacRae (by Carl D. Hobellman, Esq.
and Ann E. Tan, Esq.), 140 Broadway, New York, New York 10005,
and Claude M. Scales, Esq. and Anthony Zega, Esq., One Blue
Hill Plaza, Pearl River, New York 10965, for Orange and
Rockland Utilities, Inc.

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COMMISSIONERS:

Paul L. Gioia, Chairman
Edward P. Larkin
Carmel Carrington Marr, dissenting
Harold A. Jerry, Jr.
Anne F. Mead, dissenting
Richard E. Schuler
Rosemary S. Pooler, dissenting

CASE 26494 - NEW YORK STATE CABLE TELEVISION ASSOCIATION -
Investigation of pole attachment and related
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OPINION NO. 83-4

OPINION AND ORDER CONCERNING
POLE ATTACHMENT RATES

(Issued January 31, 1983)

BY THE COMMISSION:

This proceeding was commenced by a petition filed in March 1973 by the New York State Cable Television Association (Association) seeking an investigation of complaints raised by its members relating to pole attachment and related agreements with utility companies. Following 32 days of hearings concluding in October 1975, we issued Opinion No. 77-1, where we resolved certain questions regarding our jurisdiction over pole attachment agreements and prescribed standards for utility pole attachment contracts.^{1/} As to precise fees for pole attachment rentals, however, we observed that the record had not been adequately developed on this point; we therefore remanded rate issues for further hearings.

1/Case 26494, New York State Cable Television Association,
17 NY PSC 103 (1977).

Before proceedings were convened on rate issues, the New York Legislature added Section 119-a to the Public Service Law, which removed any uncertainty regarding our jurisdiction to prescribe rates for pole attachments. The measure also defined the limits within which pole attachment rates must be set. At a minimum, the utility must be assured of recovering its avoidable costs, or costs "not less than the additional cost of providing a pole attachment." At a maximum, the utility may recover "the actual operating expenses and return on the capital of the utility attributed to that portion of the pole. . .used." "Portion" is defined as "the percentage of total usable space on a pole . . .that is occupied by the facilities of the user"; "usable space" is defined, in turn, as "the space on a utility pole above the minimum grade level which can be used for the attachment of wires and cables."^{1/}

In October 1978, the instant proceeding was reconvened to consider applying the formula set forth in Section 119-a. Over the next two years and two months, Administrative Law Judge Thomas R. Matias presided over 23 days of hearings

1/The entire text of Section 119-a reads as follows:

The Commission shall prescribe the just and reasonable rates, terms and conditions for attachment to utility poles and the use of utility ducts, trenches and conduits. The just and reasonable rates shall assure the utility of the recovery of not less than the additional cost of providing a pole attachment or of using a trench, duct or conduit nor more than the actual operating expenses and return on capital of the utility attributed to that portion of the pole, duct, trench or conduit used. With respect to the cable television attachments and use, such portions shall be the percentage of total usable space on a pole or total capacity of a duct or conduit that is occupied by the facilities of the user. Usable space shall be the space on a utility pole above the minimum grade level which can be used for the attachment of wires and cables.

during which 20 witnesses sponsored by the utilities, the Association and staff of the Department of Public Service were cross-examined. These hearings produced 3,449 transcript pages and 142 exhibits.

During the pendency of these proceedings, New York Telephone Company (NYT) requested that it be allowed to increase its pole attachment fees. On March 18, 1980, we denied this request, directing instead that the company's then-prevailing \$5.00 rate be retained on a temporary basis, subject to either refunds to CATV operators or reparations to NYT retroactive to the date of that Order, depending upon the fee ultimately adopted at the close of this proceeding.^{1/}

On March 23, 1982, Judge Matias' recommended decision was issued, concluding generally that pole attachment fees should be established at the maximum rate permitted by Section 119-a, or, in other words, that such fees should reflect the fully allocated costs of the utilities providing the poles. The Judge also included a number of recommendations regarding the method by which the allocable portion of operating and capital costs should be developed. Exceptions to various aspects of the recommended decision were filed by

^{1/}Case 26494, Order Establishing Conditions Upon Which New York Telephone Company May Increase Its Annual CATV Pole Attachment Fees Pending A Final Commission Decision. On the basis of our estimates of the applicable rate for NYT prescribed by our decision herein, it appears that refunds to CATV operators will be necessary. Accordingly, we direct NYT to submit a plan, within 60 days of this Opinion and Order, for effecting these refunds.

the Association;^{1/} New York Telephone Company; Rochester Telephone Corporation, Highland Telephone Company and Sylvan Lake Telephone Company (jointly referred to as Rochester Telephone or RTC); the New York State Commission on Cable Television (Cable Commission); Rochester Gas and Electric Corporation (RG&E); Niagara Mohawk Power Corporation (NMP); Consolidated Edison Company of New York, Inc. (Con Edison); and Long Island Lighting Company (LILCO). Additionally, comments were filed by Continental Telephone Company of Upstate New York, Inc. (Continental), New York State Electric & Gas Corporation (NYSEG), and the National Cable Television Association (NCTA). Briefs opposing exceptions were submitted by the Association, staff, NYT, Rochester Telephone, NYSEG, RG&E, NMP, and Con Edison.

1/On May 25, 1982, the Association also requested an opportunity for oral argument, claiming that our construction of the statute in question would be aided by setting the "legal and factual context for these issues." Rochester Telephone, NMP, and RG&E opposed the motion, maintaining generally that the basic elements to be considered are conceptually straightforward and need no clarification by way of oral argument. We agreed generally with the utility parties, and declined to provide any opportunity for oral argument in light of the thorough presentation of the issues in the recommended decision and in the parties' briefs to us. On November 10, 1982, after we had discussed and tentatively resolved certain issues in this proceeding at our November 4 session, the Association again petitioned for oral argument, claiming that our tentative conclusions were "wholly at odds with the record developed in the proceeding." Con Edison and NMP filed responses in opposition to the motion. By this Order, we again deny the Association's request. Considering that it previously had requested oral argument in this proceeding, its second request, based on our initial deliberations on this matter, was improper in and of itself. Moreover, it failed to raise any arguments not already made in its written filings, and thus again did not show that oral argument would enhance our decision-making process.

THE MEASURE OF POLE ATTACHMENT RATES

In Opinion No. 77-1, we offered general observations regarding the proper level of pole attachment rates, and the relationship between service provided and the basis for rates. Specifically, we suggested the following guidelines for setting the level of pole attachment rates:

The reasonableness of a utility's pole attachment practices can best be judged by reference to the compensation that it receives from cable companies for the service. For example, a pole attachment fee designed to recover all of the utility's fully allocated costs might justify giving cable operators all of the rights with respect to poles as other utility users, subject only to the higher priority that exists for the maintenance of telephone and electric service. Alternatively, a fee designed to recover only the utility's avoidable costs, which could be expected to be minimal since most of those costs are the outlays that should be fully recovered in make-ready charges, would justify treating cable as a clearly secondary use subordinate in every respect to the provision of electric and telephone service. More likely, the annual pole attachment fee should be set somewhere between avoidable and fully allocated costs in order to avoid inhibiting the growth of cable television and to insure that cable operators and their subscribers make some equitable contribution to the fixed costs of the utility systems they use.^{1/}

In a subsequent section of the same Opinion, where we prescribed standards for pole attachment contracts, we made it clear that our standards were "premised on the assumptions that annual pole rental rates will remain substantially below fully allocated costs."^{2/}

^{1/}Case 26494, supra, 17 NY PSC 103, pp. 108-109.

^{2/}Id., p. 109.

Although acknowledging this language, Judge Matias nonetheless recommended that pole attachment fees be set on the basis of 100% of fully allocated costs, reasoning that a number of significant changes had occurred since Opinion No. 77-1 that could be expected to allay our concern over inhibiting the growth of cable television. For one thing, said the Judge, technological advances such as increased channel capacity and the growth of satellite distribution have stimulated a substantial growth in the cable television industry, leaving little justification for what he considered "promotional" pole attachment rates in New York. In addition, he said, Section 119-a itself is "very favorable" to the cable industry inasmuch as the user's responsibility for pole costs is limited to its share of usable space.

Judge Matias cited what he believed to be significant rights and privileges of cable operators as an additional justification for basing the rental fee on fully allocated costs. According to him, rather than being "mere holders of bare licenses and at the mercy of the utilities," CATV operators have full protection of their business interests with no fear of interrupted service as a result of a "calculated decision by a utility." Moreover, he said, their guaranteed right of access is "highly significant" and "tantamount to full partnership."^{1/} Given these rights, he concluded, CATV operators "should be expected to pay their fair share of the costs for the utility plant that they occupy."^{2/}

^{1/}R.D., pp. 29-30.

^{2/}Id., p. 117.

On exceptions, the Association maintains that cable operators should be charged only a portion of the maximum fully allocated rate in recognition of the "inferior position" they hold in their pole attachment contracts. In its testimony, the Association suggested it would be our prerogative to determine the precise percentage to be applied; in brief, however, it recommends that the pole rental rate be set on the basis of 75% of fully allocated costs. According to the Association, the Judge's recommendation to use maximum fully allocated costs was based on a "misinterpretation" of Opinion No. 77-1 and a misunderstanding of the rights of cable operators vis-a-vis utility pole owners.

The Association maintains that the pole attachment contracts we approved place cable operators in an "extremely subordinate position compared to the utilities." The standing of cable operators, it says, is thus similar to that of interruptible electric customers: like interruptible service, cable television pole attachments are provided only when surplus resources permit; and where the space they occupy is needed by the utility, the cable operators must cease using it or supply their own. The Association argues that just as avoidable costs are used in determining interruptible rates, pole attachment rates should be closer to avoidable costs than to fully allocated costs. Given that utility records are insufficient to permit determining avoidable costs, however, it urges a paring--by 25%--of fully allocated costs, with the utility given the option of seeking a higher rate if justified on the basis of avoidable costs.

In response, NYT maintains that a maximum fully allocated cost rate is justified on the basis of the rights and privileges accorded CATV operators and the economic value of the services. Under current pole attachment agreements, it says, the rights of CATV operators are in some ways greater than the rights accorded a full partner inasmuch as they are freed from the responsibility of raising the capital necessary to construct pole plant, and they need not worry about maintaining and replacing that plant. Moreover, says NYT, considering the cost CATV operators would incur in placing their own poles, the economic value that CATV realizes as a result of attachment to utility poles far exceeds the fully allocated cost rate recommended by the Judge. Con Edison echoes this sentiment, asserting that CATV operators have consciously chosen not to invest in pole plant and so to avoid capital costs.

Rochester Telephone also supports the maximum rate recommended by Judge Matias, pointing out that competitors of cable television are paying rates for their transmission services based on fully allocated costs. Furthermore, it says, given that users of utility services pay rates based on fully allocated costs of utility poles, charging CATV companies less than that level would unfairly disadvantage utility customers. RG&E, for its part, claims that the 75% figure that the Association would apply to fully allocated costs is arbitrary and unsupported by the record. RG&E further rejects the Association's contention that avoidable costs should be used inasmuch as cable operators are in a situation similar to interruptible electric customers. In the case of interruptible customers, it says, avoidable costs are used to determine the minimum level of rates, with

the maximum rates determined according to the value of service to the customer. Considering the cost to CATV operators of setting their own poles--which defines the value of service to them--RG&E suggests that applying interruptible service pricing principles to cable operators might produce rates substantially above fully allocated costs.

We are unconvinced that these "value of service" principles advanced by the utility parties have any relevance to the determination of pole attachment rates under the scheme prescribed by Section 119-a. For that statute plainly defines the parameters for rental rates by reference to fully allocated costs at one end and, at the other, incremental costs, with no mention whatsoever of the asserted economic value to CATV operators of such pole attachments.

Turning to the Judge's discussion of the rights and privileges of cable operators, we are less inclined than Judge Matias to attach great significance to the cable operators' guaranteed right of access to poles for attachments. Although the Judge characterized this privilege as granting rights "tantamount to full partnership," other aspects of the pole attachment agreements--such as the provisions requiring cable operators to bear the costs of all make-ready charges and of pole replacements, where necessary to provide space--suggest that cable operators occupy a position subordinate to that of the pole owners. We are thus unwilling to endorse a pole rental formula imposing 100% of fully allocated costs on the basis of the pole attachment contracts currently in force.

In establishing a rate for pole attachments, we are mindful of our responsibility under State and Federal law to consider the interests of both the subscribers of cable television services and the consumers of utility services.^{1/} This responsibility differs from that imposed by our traditional regulatory functions, which relate only to the interests of utility ratepayers. We are also aware of the State policy set forth in Article 28 of the Executive Law to encourage the development of the cable television industry in New York. Thus, in compliance with these statutory directives, it is clear that we must consider the effect on the cable industry of increasing existing pole attachment rates as well as equitably balance competing consumer interests.

As noted, Section 119-a provides the Commission with authority to choose from a wide range of potential rates. On the basis of the substantial record in this proceeding, we conclude that we should not set a rate at either end of the statutory spectrum. Instead, we believe that while the growth and vitality of cable services since our 1977 Opinion permits that industry to better absorb costs passed along to it, these factors do not support modifying current rates in a manner that could shift substantial revenue responsibility from utility customers to cable consumers. In these circumstances, we think it best to establish fees at a level above the midpoint of the statutory range but still less than the maximum. We conclude that a rate reflecting 75% of "fully allocated costs" meets both these equitable considerations and the policy and

^{1/}See 47 U.S.C.A. § 224(c)(2)(B) and Governor's Approval Memorandum for Chapter 703 of the Laws of 1978.

competing consumer interests discussed above.^{1/} Such a rate will continue to provide a significant and generous benefit to utility ratepayers without inhibiting the growth of the cable industry or imposing a major additional cost on consumers of cable television services.^{2/}

Finally, utilities and cable operators should be free to reach an agreement providing for initial attachment fees lower than those prescribed in this decision, where there is clear and convincing evidence that such concessions are necessary to enable cable service to expand into otherwise uneconomic service territories. Of course, any such rate must still recover, at a minimum, the incremental costs associated with attachments to poles, which would thereby provide some benefit to utility ratepayers. After a suitable period of time, we intend that these inaugural rates would move to the levels prescribed in this Opinion. Accordingly, we are willing to provide interested parties with wide latitude to submit for our approval special pole attachment rates that will foster the expansion of cable television service into areas that were previously unserved.

DERIVATION OF FULLY ALLOCATED COSTS

The parties agree on the basic method for determining fully allocated costs under Section 119-a. According to the statute, no utility may charge a cable television operator more per attachment than the amount determined by multiplying the cost of the utility's average distribution pole by a percentage representing the annual charge necessary

^{1/}We note that such a rate level is also more consistent with rate levels for pole attachments adopted recently in other regulatory jurisdictions.

^{2/}This decision can, of course, be reexamined in the future should the equities be changed by evolving circumstances.

to recover expenses and a return on capital for the pole, and then multiplying the resulting number by the percentage of usable space on the average pole occupied by the cable attachment. The following formula expresses the method by which the parties would determine fully allocated costs:

$$A \times B \times C/D = \text{Fee}$$

Where:

- A = Cost of Average Distribution Pole
- B = Annual Carrying Charge Rate
- C = Space Used by the CATV Licensee
- D = Usable Space

The parties agree on one component of the formula--that cable attachments generally occupy one foot of space. The primary differences of opinion concern (1) how to calculate the average pole cost, (2) how to determine the annual carrying charge, and (3) how to determine what percentage of usable space is occupied by the cable attachment.

Pole Investment

Average Pole Cost

The major issue in developing the cost of the average pole concerns the use of historical cost versus projected cost. The Administrative Law Judge, citing the importance of developing a procedure that can be implemented with a minimum of effort and controversy, recommended the use of historical costs, and concluded specifically that year-end plant balances should be used. Although conceding that such an approach would not eliminate the problems associated with a lag, and that the use of projected figures might achieve a greater degree of accuracy, Judge Matias

pointed out that the development of such projections might be the subject of disagreement and conflicting opinions that could increase our involvement in the determination of specific rates. In these circumstances, he considered it preferable to use the "verifiable data" appearing in each utility's annual report to the Commission. The lag problem, he said, could to some extent be alleviated through frequent revision of pole attachment rates.

NYT, Rochester Telephone, RG&E, and LILCO except to the Judge's recommendation, maintaining the projected costs should be used. Each of these parties argues that the Judge's concern over the controversy potentially caused by using cost projections is unfounded, especially when it is considered that average investment per pole has increased year-to-year in a steady, predictable manner. Thus, Rochester Telephone submits, pole investment can be projected with some certainty using a linear forecast based on the recent growth trend. LILCO suggests that general economic indices can be used to project a reasonable rate and, more specifically, endorses the use of the GNP implicit price deflator.

On a separate point, NYT and Rochester Telephone argue that adoption of the Judge's recommended use of historical data would be inconsistent with our use of forecasted test periods in rate cases. Considering that utility rates are set on the basis of forecasts, says Rochester Telephone, the Judge's approach would benefit CATV companies at the expense of utility ratepayers. NYT and RG&E also argue that the reliance on historical balances would not permit recovery of actual costs and would thus guarantee attrition. According to RG&E, rates under the

Judge's recommendations conceivably could lag behind actual investment by up to 18 months.^{1/}

The Association, for its part, also excepts to the Judge's recommendation, claiming that mid-year investment figures should be used inasmuch as the carrying charge calculation includes costs spread throughout the year. In response to the other parties' exceptions, it submits that by using year-end investment in determining the cost of the pole, the Judge's method may already overcompensate for possible increases in costs; it thus dismisses the utilities' concern about attrition. According to it, given that the pole investment is multiplied by the carrying charge to arrive at an annual revenue requirement, an excess recovery will be produced if the pole investment is trended forward at a rate faster than expenses are increasing. Only if trending were applied to all calculations in the carrying charge, as well as to pole investment, would trending even theoretically be accurate, says the Association. In the absence of some effort to trend carrying charges, it opposes the utilities' proposal to trend pole investments to reflect rate year figures.

Staff's response endorses the Judge's recommendation as an acceptable compromise. Conceding that it may undercompensate utilities by requiring use of historical rather than projected investment as the basis for rates, staff nonetheless submits that use of full carrying charges, discussed below, would compensate for this shortfall.

^{1/}RG&E offers an alternative proposal that it says would alleviate the potential disagreements cited by the Judge. It suggests that the utilities be permitted to base their rates upon projected investment data and that, when actual year-end investment data become known, the projected data be reconciled with them.

Although the utilities are correct in citing our policy on forecasted test periods as supporting the use of projected data in setting pole attachment rates, we are concerned that the marginally greater accuracy afforded by the cost projections would be outweighed by the potential for controversy and debate over estimates. Given the Judge's goal of developing a method that is as self-executing as possible--which we agree is an essential objective--we consider the projection of utility pole costs to be an unwarranted refinement. Admittedly, pole attachment rates may lag somewhat behind the actual investment costs under this approach. But when compared to the even greater lag suggested by the Association's mid-year investment proposal, the Judge's recommended use of the year-end data represents an acceptable compromise. Accordingly, the parties' exceptions on this point are denied.

Appurtenances

The recommended decision includes an itemization of appurtenances commonly found in utility pole line accounts. On the basis of the testimony, Judge Matias classified each of these items as either useful to CATV, and therefore includable in pole investment, or non-essential appurtenances that should not be included as part of pole costs. On exceptions, the parties' discussion is limited to two of these items--anchors and guys.^{1/}

^{1/}"Guys" generally refer to wire strands, attached to poles, that are used to alleviate stress at angular changes in direction of pole lines. In the case of an anchor guy, which extends from a pole to an anchorage in the ground, the guy strand is attached, slightly above ground level, to an anchor rod, which in turn is attached to an anchor. Anchors themselves range in size from six to twelve inches in diameter, and are buried from three to eight feet underground (depending upon soil conditions).

Judge Matias recommended that the cost of anchors be subtracted from the pole investment account and that utilities charge separately for their use, reasoning that if the cost of anchors were included in pole attachment fees, cable operators potentially would pay a "double charge" or pay for capacity that is not required. Under the Judge's approach, therefore, CATV operators would not pay for utility anchor investments generally, but only, through a separate charge, for those anchors to which they attach guy strands. The Judge similarly recommended that guy wire investment be excluded from pole investment inasmuch as the CATV attachment assertedly does not benefit from a guy already in place because of the different stresses involved. In these circumstances, said the Judge, CATV "should be responsible for its own stress and install its own guy."^{1/} Rochester Telephone, RG&E and Continental each object to the Judge's recommendation.

All these parties urge that utilities be given the option of either charging separately for anchor attachments--with anchor investment excluded from pole cost--or rolling anchor charges into pole attachment rates. They note that only New York Telephone argued strongly for a separate anchor fee, primarily because it has the necessary records to document the fee's computation. They maintain that NYT's wishes should not be imposed on all other utilities, regardless of size. And they point out that neither the Association nor staff oppose the inclusion of anchor investment in determining pole attachment rates. In the case of smaller companies with less sophisticated records, they argue, allowing utilities to roll in anchor investment will minimize the administrative expenses associated with pole attachment fees.

^{1/}R.D., p. 91.

Responding to the Judge's observation that the inclusion of anchor investment would involve a double charge for CATV operators, RG&E submits that such a double charge would arise only if anchor investment were included in pole costs and a separate charge for anchor attachments were assessed. It submits that no such proposal has been advanced. Continental concedes that there may be a double charge insofar as CATV operators would be paying for the utilities' anchors and may still have to install some of their own; but it maintains that the overwhelming number of cable attachments require no additional anchors and guys, and that cable operators accordingly benefit from utility anchors already in place. As for the Judge's charge that CATV operators would be paying for unnecessary capacity, RG&E asserts that including anchor costs in rates would permit CATV operators to use any anchor already in place, thereby obviating duplicative construction.

Turning to the question of guys, Rochester Telephone and RG&E argue that these costs should be recognized in pole attachment charges inasmuch as CATV operators assertedly benefit from the guying of utility poles. According to these parties, guying relates to the physical integrity of the pole plant rather than to particular attachments, and it is therefore preferable to include these costs as part of pole investment. They point to the following language in Opinion No. 77-1 in support of their position:

We view anchoring and guying as primarily an obligation of the owner of the pole. It is the pole rather than the attached facilities that must be guyed.1/

Although acknowledging the Judge's observation that CATV companies are required to pay for additional guys necessitated solely by CATV attachments, Rochester Telephone maintains that CATV operators still benefit generally from poles being guyed and anchored, and should be required to bear a portion of these costs. And in most cases, it points out, additional guys are not required after CATV attachments are made because the existing guys and anchors are sufficient to ensure the integrity of the pole plant.

In response, the Association reiterates its position that the option approach advanced on exceptions would be acceptable. According to it, the cable operator should share in anchor costs if anchors are made available for their use without an additional charge. On the other hand, it says, if CATV operators are charged a separate fee for anchors, anchor costs should obviously be excluded from the pole attachment rate. The same treatment should apply to guy costs as well, says the Association.

Staff, in its reply brief on exceptions, observes that only about one half of utility guys/anchors are useful to or usable by cable attachments. Combining this assumption with the parties' general agreement that cable operators should be responsible for one-third of any utility anchor to which they attach, staff suggests that cable operators should be held responsible for about 16.7% (one-half times one-third)

1/Case 26494, supra, 17 NY PSC 103, 113 (footnote 11).

of costs associated with all anchors and guys. Because this percentage is relatively close to the 10-15% of pole costs that CATV operators would support under staff's recommended usable space formula, it proposes that utilities, in the interests of simplicity, be allowed to calculate a single fee for pole attachment and incidental anchor and guy use on the basis of the usable space calculation and the combined investment in poles, guys, and anchors.

In our view, this issue should be resolved consistently with the actual functions of anchors and guys. If they are seen as corresponding more closely to pole attachments than to poles--i.e., they are necessary to relieve the stress caused by the attachment of particular wires and cables--the cable operator should be expected to provide its own anchors and guys and the utilities' investment in these items should be excluded from pole attachment rates, as the Judge recommended. Under this approach, cable operators would bear a separate charge only for particular anchors to which they attach. If, on the other hand, anchors and guys are viewed as relating to the physical integrity of the pole and an integral part of the pole structure, CATV operators benefit from this investment when they attach to utility poles, and they should be required to bear a portion of these costs; anchor and guy costs would therefore be included in pole investment. As noted in our 1977 Opinion in this case, we believe the latter approach is better supported by actual practice. And the record here shows that the anchors and the guys necessary for telephone and pole lines generally provide sufficient structural integrity to permit the attachment of cable. To be sure, there are some situations where the cable operator will have to provide additional support through guys and anchors, such as where the angular direction of a cable installation diverges from that of the power or

communication line. But for the most part, the structural needs of the cable operator are convergent with those of other pole users, suggesting that cable operators would not be double charged through the inclusion of anchor and guy costs in pole attachment rates. We thus agree in principle with staff's approach, which would hold cable operators responsible for the percentage of anchor and guy costs corresponding to the use ratio in the usable space calculation.

We also consider it probative that only New York Telephone actively urged adoption of a separate rate for anchor attachments. Other utilities, it appears, do not maintain comparably detailed records by which they could easily compute a separate anchor attachment fee; for them, the adoption of a separate charge would impose a substantial administrative burden. In these circumstances, we are unwilling to require all utilities to exclude anchor and guy costs from pole investment in favor of a separate charge, and we decline to adopt the Judge's recommendation supporting such treatment. Where a utility has the necessary record-keeping to formulate a separate anchor charge, however, as in the case of New York Telephone, or where it can be shown that cable operators were required in the past to provide all of their own guys and anchors rather than being offered the use of spare utility guying or anchoring capacity, anchor and guy costs should be subtracted from pole investment when calculating the rate to be paid for these attachments. But considering our findings regarding the general applicability of our proposed treatment, we expect these departures to be rare.