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Filed via WUTC Web Portal

Mr. Steven V. King
Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

**Re: Comments of Puget Sound Energy, Inc.
Rulemaking Relating to Attachments to Transmission Facilities
Docket No. U-140621**

Dear Mr. King:

Puget Sound Energy, Inc. ("PSE") thanks the Washington Utilities and Transportation Commission ("Commission" or "WUTC") for the opportunity to provide comments and supports the effort to gain a better understanding of joint use activities and the pole attachment arena. We recognize that electric utilities maintain significant infrastructure which can be utilized for modern broadband and telecommunications services. However, PSE also wants to ensure that, if the Commission chooses to promulgate new regulations that the Commission takes into account the serious challenges to maintaining a safe and reliable electrical distribution system that third party attachments can potentially represent. With this in mind, PSE would like to present PSE's view of the current state of pole attachments.

PSE believes that the current process is working well. This is because the key to successful joint use is well-established and productive relationships between the involved parties. Our associations with telephone (ILEC) and cable television (CATV) entities go back 100 years and 40 years, respectively. These relationships have experienced significant challenges in the last several years due to a rapidly evolving telecom world. Technology and competition have changed the field, going from clearly defined services from a couple of providers to multiple providers providing a range of services, all in direct competition with each other. One result of this competition is a declining focus on the maintenance of physical infrastructure in the field. Meanwhile, electric utilities still deliver their services in the same manner as always and constantly maintain and upgrade their infrastructure.

To adapt to this changing joint-use environment, PSE is continually improving our pole attachment process. PSE was one of the first in the nation to adopt a single rate for all

attaching entities, long before the FCC's 2011 Rulemaking. All attachments (as defined by RCW 80.54) get the FCC cable rate. Another change for PSE was to rewrite PSE's pole attachment agreements used with entities who do not own poles. For a long time cable companies represented a major problem area for pole owners. Many were small companies racing to install plant, with little understanding of construction standards and NESC safety standards. Consolidation and a jointly-developed agreement have brought the relationship between PSE and Comcast to its current high level. This model is being applied to the other fiber optic cable providers operating in PSE's service territory. Other improvements include increased staff to handle the volume of applications, regularly setting 45' poles to provide increased attachment space, and better integration of our service provider into the joint use process. These efforts put PSE in compliance with the FCC's 2011 Pole Attachment Rulemaking before it was issued.

Current efforts to improve the relationship with entities that attach to PSE poles include the development of a business plan that enables PSE to better ensure the safety and integrity of our system while improving our ability to meet the demands of our attaching customers. This involves rewriting decades old joint use agreements used for other pole owners (i.e. phone companies). PSE's goal is to produce standardized, streamlined agreements which reflect current practices, support the primary objective of the customer, and are enforceable. We are also looking at ways to conduct system-wide audits, as neither PSE nor our attaching entities have 100% complete records for attachments. Except for occasional spot auditing, our joint users have been reluctant to incur the expense of a comprehensive audit to accurately account for all attachments.

In addition to meeting the needs of PSE's customers, any pole attachment process has to ensure that the poles and other supporting infrastructure are not compromised. To that end, PSE now completes structural analyses of transmission poles whenever attachment is proposed. Entities who attach to PSE poles no longer maintain the staff to perform engineering due diligence to determine if the pole(s) they want to attach to can support the added loading. Another recent trend is the abandonment of facilities. The practice of over lashing is a means to add circuits without taking up additional space on a pole. Now, previously installed copper wire and coaxial cable are being replaced by over lashed fiber optic cable, with the old infrastructure remaining in place. While this still meets the objective of not utilizing additional space, it also represents an increased structural loading of the pole. With no attention being given to load impacts by PSE's customers, PSE believes a structural analysis should be required for attachment to all poles, not solely transmission poles.

After reviewing the petitions filed with the Commission by the Wireless Infrastructure Association, PSE remains unclear about its objective. As the largest pole-owning utility in the state, PSE has been supporting collocation of wireless facilities for nearly 20 years, being one of the first utilities in the nation to allow access to wood distribution and transmission poles. PSE supports over 400 sites and, based on feedback from wireless carriers, is considered a benchmark utility for collocation. With the coming of "small cell" technology, PSE is viewed as being ahead of the curve with both standards and rates developed specifically to accommodate this type of installation. One reason for this success has been the ability to independently negotiate fees for collocated facilities.

Unlike traditional wire line attachments, wireless facilities are generally installed above the energized conductor, requiring installation and access to be performed by qualified utility line crews. These are assets not readily available to communications companies. Installation on transmission structures normally involves the scheduling of line outages. The constant upgrading of technology has increased outages scheduled on behalf of wireless carriers significantly. Also to be considered is the inherent difference between a radiating antenna and a wire line attachment. The ability to accommodate these differences would not be feasible under the cost recovery model applied to traditional pole attachments.

The following is a comparison of PSE's pole attachment practices with the FCC and Oregon rules. The comparison includes comments and other rules that PSE has adopted.

PSE POLE ATTACHMENT PRACTICES			
	FCC	OAR	Other
Rate Formula	X (with a multiplier for average number of attachments per pole maintained by each entity)		
Usable Space	X		
Pole Height		X	
Carrying Charges	X	X	
Attachment Space	X	X	
Denial of Access			Within 20 days
Grounds for Denial	X (plus designated transmission lines as off-limits, outside scope of FCC regulation)		

Summary:

PSE believes the current environment is working, and PSE already meets or exceeds all regulations based on FCC or OAR models. However, PSE strongly believes that any new regulatory construct include sufficient safeguards for the integrity of pole plant and allow for pole owning entities to enforce contractual obligations when faced with parties who are not in compliance with attachment agreements or with regulatory guidelines. In considering the fit and relationship of wireless facilities within any new regulation, we refer to the significant difference inherent to such attachments from traditional joint use installation and strongly recommend that the successful framework developed between PSE and the wireless carriers be allowed to continue.

If you have any questions about the comments contained in this filing, please contact Lynn Logen, Supervisor Tariffs at 425-462-3872.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Johnson", with a long horizontal flourish extending to the right.

Ken Johnson
Director, State Regulatory Affairs

cc: Simon J. ffitich, Public Counsel
Sheree Carson, Perkins Coie