

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

PUGET SOUND ENERGY

for an Order Authorizing Removal of Abandoned
Attachments

Docket UE-_____

**PETITION OF PUGET SOUND
ENERGY FOR AN ORDER
AUTHORIZING REMOVAL OF
ABANDONED ATTACHMENTS**

I. INTRODUCTION

1. Pursuant to Washington Administrative Code (“WAC”) 480-07-370(3) and WAC 480-54-050(5), Puget Sound Energy (“PSE”) respectfully petitions the Washington Utilities and Transportation Commission (“Commission”) for an order authorizing the removal of certain abandoned pole attachments.
2. The statutes and rules at issue in this Petition include Chapter 480-54 WAC related to pole attachments.
3. PSE is engaged in the business of providing electric and gas service within the State of Washington as a public service company and is subject to the regulatory authority of the Commission. Its full name and mailing address for the purpose of this Petition are:

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**PUGET SOUND ENERGY’S PETITION FOR AN
ORDER AUTHORIZING REMOVAL OF ABANDONED
ATTACHMENTS - 1**

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II. SUMMARY OF PETITION

4. PSE requests that the Commission issue an order authorizing the removal of abandoned pole attachments located on two PSE owned utility poles near Marblemount, Washington. The two utility poles in question must be removed for a Washington State Department of Transportation (“WSDOT”) fish passage culvert project. Based on PSE’s due diligence, PSE believes the occupant for the attachments to be Iron Goat Networks, LLC (“Iron Goat Networks”), which was administratively dissolved. PSE has reached out to potential occupants that might claim the attachments at issue to no avail and believes the attachments are abandoned.

III. BACKGROUND

5. This matter concerns the removal of unclaimed pole attachments to two utility poles located along State Route 20 near Marblemount, Washington. This Petition is supported by the Declaration of Glenn Helton (“Helton Decl.”) and attachments thereto, which are being filed concurrently with this Petition. The subject utility poles straddle the residence located at 59705 State Route 20, Marblemount, WA 98267 and are otherwise identified by their grid numbers: 455794-185185 and 455788-185208 (the “Subject Poles”).¹ Additional details and photos specifically identifying the Subject Poles are included as **Exhibit A** to Helton Decl. The Subject Poles are in conflict with a WSDOT fish passage culvert project, and PSE wishes to remove the

¹ Helton Decl. at ¶ 2.

Subject Poles in connection with the construction of such project.² The Subject Poles are owned by PSE. The unclaimed attachments located on the top of the Subject Poles must be removed before PSE can remove the Subject Poles.³

6. Based on the information available to PSE, the unclaimed attachments on the Subject Poles appear to be owned by Iron Goat Networks, which acquired ownership of such attachment when Iron Goat Networks purchased plant for service in this area from Broadstripe.⁴ However, both Iron Goat Networks and Broadstripe are dissolved companies that no longer provide cable services in Washington.⁵ A copy of the Certificate of Administrative Dissolution for Iron Goat Networks is included as **Exhibit B** to Helton Decl. A copy of the Certificate of Revocation of Authority to do Business in Washington for Broadstripe, LLC is attached as **Exhibit C** to Helton Decl.

7. Although the unclaimed attachments on the Subject Poles, which appear to be for cable communications, appeared to be owned by Iron Goat Networks, PSE also reached out to other telecommunications providers regarding the unclaimed attachments.⁶ Zippy Fiber (“Zippy”), a telecommunications provider offering services in the Marblemount, WA area, has copper and fiber cable attachments on the Subject Poles; however, in response to PSE's inquiries, Zippy indicated that the unclaimed attachments were not owned by Zippy. PSE found indications that the unclaimed attachments could have belonged to Wave Broadband and contacted Astound Broadband (formerly Wave Broadband) (“Astound”) to inquire whether the unclaimed attachments were owned by Astound.⁷ Astound informed PSE that the company does not have any coax or fiber attachments in Marblemount, WA, where the Subject Poles are located.⁸

² *Id.*

³ *Id.* at ¶ 3.

⁴ *Id.* at ¶¶ 4-5.

⁵ *Id.* at ¶ 4.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

Astound’s records indicated that the unclaimed attachments on the Subject Poles could have belonged to Iron Goat Networks., which, as indicated above, was administratively dissolved.⁹ A copy of the communications between PSE, WSDOT, and other service providers is attached as **Exhibit D** to Helton Decl. PSE also contacted a representative for M6 Networks, LLC, a dissolved entity that had a pole attachment agreement with PSE, about the unclaimed attachments; however, such representative denied ownership of the unclaimed attachments on the Subject Poles on behalf of M6 Networks, LLC.¹⁰

8. PSE has used reasonable efforts to identify the owner of the unclaimed attachments on the Subject Poles and has been unsuccessful in identifying such owner. PSE believes the unclaimed attachments on the Subject Poles to be abandoned.
9. PSE wishes to remove the Subject Poles as soon as possible – and before May 31, 2024 – for the WSDOT fish passage culvert project, and all pole attachments on the Subject Poles must be removed from the Subject Poles before PSE can remove the Subject Poles.¹¹ Therefore, PSE requests the Commission issue an order authorizing PSE's removal of the unclaimed attachments on the Subject Poles as abandoned pole attachments.

IV. PETITION FOR REMOVAL

10. WAC 480-54-050(5) provides the owner of a utility pole may file “a petition for authority to remove [an] occupant's abandoned [pole] attachments [from the utility pole at issue].” Under WAC 480-54-050(5), a utility pole owner must “identify the attachments and provide sufficient evidence to demonstrate that the occupant has abandoned those attachments.”¹² If the occupant does not file an answer or otherwise respond to the utility pole power's petition within twenty days, the Commission may authorize removal of such attachments.

⁹ *Id.*

¹⁰ *Id.* at ¶ 5.

¹¹ WSDOT has requested PSE remove the poles by May 31, 2024.

¹² *See* WAC 480-54-050(5).

11. The unclaimed attachments on the Subject Poles appear to be for cable communications. Such attachments are the highest pole attachments on the Subject Poles and, therefore, must be removed before the other pole attachments on the Subject Poles can be removed.¹³ PSE cannot remove the Subject Poles for the WSDOT fish culvert project until all pole attachments on the Subject Poles have been removed.

12. PSE has used reasonable efforts to identify the occupant responsible for the unclaimed attachments on the Subject Pole and to contact the telecommunications providers that could potentially own such attachments, including Ziplly, Astound Broadband, Iron Goat Networks, and M6 Networks, LLC. No active telecommunications provider has claimed the attachments to date, and such attachments appear to be abandoned.¹⁴

13. In an abundance of caution, PSE is serving this Petition on all companies that could have an occupancy claim to the unclaimed attachments on the Subject Poles, including: Astound Broadband, LLC, Iron Goat Networks, LLC, and M6 Networks, LLC. Should no company respond within twenty (20) days to claim ownership of such attachments, the Commission should issue an order authorizing removal of such attachments on the Subject Poles pursuant to WAC 480-54-050(5).

IV. CONCLUSION

14. For the reasons set forth above, PSE respectfully requests that the Commission enter an order authorizing removal of the unclaimed and abandoned attachments on the Subject Poles.

¹³ Helton Decl. at ¶ 2.

¹⁴ *Id.* at ¶¶ 4-5.

DATED this 19th day of April, 2024.

Respectfully submitted

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