Resolve, To Facilitate the Modernization and Streamlining of the Utility Pole Attachment Process

Received by the Clerk of the House on March 22, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Presented by Representative TUELL of East Machias.
Sec. 1. Public Utilities Commission; stakeholder group. Resolved: That, within existing resources, the Public Utilities Commission shall convene a stakeholder group to develop recommendations for the implementation of 3rd-party administration of utility pole attachment joint use under the Maine Revised Statutes, Title 35-A, section 711, which must include, but are not limited to:

1. A framework for ensuring that 3rd-party administrators do not own and are not affiliated with any entity that provides retail telecommunications services in the State;

2. A framework for divesting providers of retail telecommunications services of all ownership interest in utility poles; and

3. A framework for performance-based regulation of utility pole ownership and the administration of utility pole attachment joint use.

In developing the recommendations described in this section and any other stakeholder group recommendations, the commission shall to the greatest extent practicable ensure that the recommendations reflect consensus among the stakeholder group members.

Sec. 2. Public Utilities Commission; report. Resolved: That, on or before December 1, 2021, the Public Utilities Commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology detailing the work of the stakeholder group under section 1 and including proposals and other recommendations to implement the recommendations described in section 1. The report must identify any recommendations on which the stakeholder group failed to reach consensus and must include a description of the technical specifications, rules or policies necessary to implement the stakeholder group’s recommendations, a proposed timeline for implementation and any technical or legal barriers to implementation. After reviewing the report, the committee may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

SUMMARY

This resolve directs the Public Utilities Commission to convene a stakeholder group to develop recommendations for the implementation of 3rd-party administration of utility pole attachment joint use under the Maine Revised Statutes, Title 35-A, section 711. The commission is directed to submit a report to the Joint Standing Committee on Energy, Utilities and Technology on or before December 1, 2021 detailing the work of the stakeholder group and including proposals and other recommendations to implement the recommendations. After reviewing the report, the committee may report out a related bill to the Second Regular Session of the 130th Legislature.