

**STATEMENT OF  
CHAIRMAN JULIUS GENACHOWSKI**

Re: *Implementation of Section 224 of the Act, WC Docket No. 07-245, A National Broadband Plan for Our Future, GN Docket No. 09-51*

Re: *Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving the Policies Regarding Public Rights of Way and Wireless Facilities Siting, WC Docket No. 11- 59*

Today, we take a major step in reducing barriers to broadband deployment, even as we set the stage for further progress on this vital goal. Our actions will enable and accelerate billions of dollars of private investment in the 21st century infrastructure America needs to create jobs, grow our economy, and compete globally.

Today's actions implement key recommendations of the National Broadband Plan and are central pillars of our Broadband Acceleration Initiative, announced on February 9. This Initiative is one of the Commission's top priorities: an agency-wide effort to speed the build-out of wired and wireless broadband by removing obstacles to deployment, particularly obstacles created by unneeded or inefficient regulation.

Having determined that broadband is not being reasonably and timely deployed to all Americans, the Commission is required by Section 706 of the Telecommunications Act to "take immediate action to accelerate deployment . . . by removing barriers to infrastructure investment." The Broadband Acceleration Initiative, and our actions today, are central to carrying out that duty.

The Initiative incorporates work being done by the Commission's Technological Advisory Council. I was pleased to revive the TAC, announce its new members on October 21, and give them a concrete charge: identify ways to use communications technologies and spectrum to drive job creation and economic growth. Under the excellent leadership of Tom Wheeler, and with participation from a host of private sector experts and Internet pioneers, the TAC has already identified several promising policy proposals that I look forward to the Commission considering in the coming year.

Another key milestone was the Broadband Acceleration Conference we held earlier this year, which yielded a number of strong ideas for policy reforms, many of which are included in the Notice of Inquiry the Commission adopts today.

Why is this Initiative so important? In the race for global competitiveness, the speed with which we can build America's broadband networks is as important as the speed that is delivered over these networks. Broadband is indispensable infrastructure for improving America's productivity in the 21<sup>st</sup> century – which is in turn the key to robust economic growth and job creation. The faster we can build out broadband, the faster we can help American workers and small businesses create the leading web-based enterprises of tomorrow. That's what the Broadband Acceleration Initiative is all about.

The Pole Attachments Order we adopt today comprehensively reforms the Commission's pole attachment rules for the first time since the 1990s, taking account of major changes in the marketplace and incorporating smart policies pioneered by various states.

Some might wonder what the connection is between utility poles and broadband service. Utility poles are essential to providing broadband service, wired and wireless, because that's where communications companies string cables and, increasingly, place wireless antennas. If every company that wanted to provide broadband service had to build its own separate set of poles to carry its equipment, we wouldn't have much broadband in this country—it would simply be too expensive, and often impossible, to build an entirely new network of poles. This is why the Commission has historically taken steps to ensure that communications providers have reasonable access to the poles that already exist throughout the country.

The record in this proceeding demonstrates that today, the process by which broadband providers get access to utility poles frequently is so unpredictable, takes so long, and costs so much that it discourages providers from entering the marketplace and significantly delays broadband build-out. So our Order provides for a fixed timeline for getting access to poles that providers can count on, for both wired and wireless broadband build-out.

It also provides a timeline for accessing the tops of poles, which are key for the deployment of wireless broadband technologies like distributed antenna systems – DAS for short. DAS deployments use multiple antennas to extend wireless coverage and provide service more efficiently than conventional wireless antennas. As a result of this Order, DAS providers estimate that their cumulative capital investment could total more than \$15 billion over the next six years.

Importantly, the Order balances the need for efficient access to poles with protections for the safety and reliability of our electric grid, and empowers utilities to effectively prevent unauthorized attachments on their poles. Lineworkers perform jobs that are both valuable and dangerous, and we have been careful in developing this Order to make sure that we do nothing that would jeopardize their safety or the safety of others.

The Order also reforms policies for pole attachment rates. The record shows that pole rental rates vary widely and are often inefficiently high, which slants the competitive playing field, distorts infrastructure investment decisions, and deters broadband build-out. This is why incumbent phone companies argued that the Commission should regulate the prices they pay to access a utility's network of poles.

Reforming pole attachment rates is particularly important for rural America, where this Order will reduce pole rental costs for some broadband providers by more than 50%. This should spur broadband deployment where it is needed most, reduce the need for universal service funding to serve some hard-to-reach areas, and lower the cost of serving some rural households by as much as several dollars per month – which could mean real savings on consumers' bills. We expect these benefits to occur, and would be concerned – and would seriously consider modifying our approach to this issue – if we did not see evidence that these benefits were indeed occurring.

Today's Order is a testament to the strengths of our federal system and the importance of states as laboratories for policy development. Thanks to the thoughtful work of a number of states in crafting pole attachment rules over the last two decades, we have several effective models for pole attachment governance with proven track records. Our rules incorporate best practices from Oregon, Utah, New York, and other states.

While the Pole Attachments Order brings one proceeding to a close, we are simultaneously opening a new proceeding on Accelerating Broadband Deployment. This proceeding will examine key challenges and best practices for rights-of-way and wireless

facilities siting policies. Rights-of-way policies are the rules that govern access to the public spaces where broadband infrastructure – including wireless towers and antennas – are deployed, including roadways, sidewalks, public lands, and public buildings, but excluding utility poles.

This proceeding is focused on improving these policies in order to enable broadband providers to expand the reach and accelerate deployment of robust, affordable broadband to all Americans. The National Broadband Plan and our Technological Advisory Council have identified a number of potential barriers in this area, including:

- Poor coordination across jurisdictions on infrastructure issues, which delays broadband build-out and raises consumer costs;
- The expense and complexity of obtaining access to public rights of way;
- The fact that it's much harder than it should be to put another antenna on an existing cell tower;
- Failure to embrace “dig-once” policies that save money when workers dig a trench in the ground to lay fiber or cable; and
- Non-standard, confusing permitting processes for broadband infrastructure siting on federal property.

We will examine these issues with input from all interested parties, including states and localities, Tribes, other federal agencies, broadband providers, equipment providers, and consumer advocates. I look forward to learning what's working and can be replicated more broadly; what's not working and should be fixed; and, in general, what can be done to improve inefficient or burdensome policies.

I thank the staff, particularly the Wireline and Wireless Bureaus, for their hard work on these complex and important items. And I thank the TAC, and the FCC staff working with the TAC, for their continued efforts to develop proposals for further reform