

July 22, 2018

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Ex Parte Notice: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84*

Dear Ms. Dortch,

On July 19, 2018, the undersigned from INCOMPAS met with Jay Schwarz, Wireline Advisor, Justin McCuen and Kevin Costelli of Chairman Pai's office, concerning the above-referenced proceeding. INCOMPAS supports adoption by the Commission of the one-touch, make-ready ("OTMR") process for pole attachments proposed in the draft *Third Report and Order*, and the draft *Declaratory Ruling*, in the above referenced proceedings.

The proposed OTMR will speed the process and reduce costs for pole attachments, improving the ability of new broadband providers to enter the market and offer competitive services. The current process of multiple touch and multiple truck-rolls to the pole is inefficient, costly and, as a result, can substantially delay and hinder the expansion of broadband. This is true regardless of how short the time period each existing attachers has to move their equipment since it must be done on a sequential basis, which is one of the many reasons NCTA's ASAP proposal would be ineffective in promoting broadband deployment. We also support the decision, in the draft *Third Report and Order*, that the benefits of OTMR should not be subverted by binding new attachers' choice in contractor by the private agreements of existing attachers or subjecting them to a federally-imposed indemnification provisions.

INCOMPAS also supports the draft *Declaratory Ruling* that state and local moratoria generally violate section 253(a).

Respectfully submitted,

/s/ *Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Jay Schwarz

July 26, 2018

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Ex Parte Notice: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84*

Dear Ms. Dortch,

On July 24, 2018, the undersigned from INCOMPAS met with Erin McGrath, Legal Advisor to Commissioner O’Rielly, concerning the above-referenced proceeding. INCOMPAS supports adoption by the Commission of the one-touch, make-ready (“OTMR”) process for pole attachments proposed in the draft *Third Report and Order* (“*Draft Order*”) in the above referenced proceedings.

The proposed OTMR will speed the process and reduce costs for pole attachments, improving the ability of new broadband providers to enter the market and offer competitive services. The current process of multiple touch and multiple truck-rolls to the pole is inefficient, costly and, as a result, can substantially delay and hinder the expansion of broadband. This is true regardless of how short the time period each existing attacher has to move their equipment since it must be done on a sequential basis, which is one of the many reasons NCTA’s ASAP proposal would be ineffective in promoting broadband deployment. We also support the decision, in the *Draft Order*, that the benefits of OTMR should not be subverted by binding new attachers’ choice in contractor by the private agreements of existing attachers or subjecting them to a federally-imposed indemnification provisions.

In the meeting we discussed the language in the *Draft Order* surrounding the timing of the existing attacher’s ability to address remedial work related to a service outage. Specifically, the language in the *Draft Order*, that upon receiving notice of a service outage the existing attacher can complete any necessary remedial work “...within 14 days,” means the existing attacher can begin work immediately to restore service. Indeed, parties should work together to ensure service is restored as soon as possible.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Erin McGrath

July 27, 2018

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Ex Parte Notice: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84*

Dear Ms. Dortch,

On July 26, 2018, the undersigned from INCOMPAS met separately with Jamie Susskind, Chief of Staff for Commission Carr, and Betsy McIntyre of Commission Rosenworcel's office. INCOMPAS supports adoption by the Commission of the one-touch, make-ready ("OTMR") process for pole attachments proposed in the draft *Third Report and Order* ("Draft Order") in the above referenced proceedings.

The proposed OTMR will speed the process and reduce costs for pole attachments, improving the ability of new broadband providers to enter the market and offer competitive services. The current process of multiple touch and multiple truck-rolls to the pole is inefficient, costly and, as a result, can substantially delay and hinder the expansion of broadband. This is true regardless of how short the time period each existing attachers has to move their equipment since it must be done on a sequential basis, which is one of the many reasons NCTA's ASAP proposal would be ineffective in promoting broadband deployment. We also support the decision, in the *Draft Order*, that the benefits of OTMR should not be subverted by binding new attachers' choice in contractor by the private agreements of existing attachers or subjecting them to a federally-imposed indemnification provisions.

In the meeting with Ms. Susskind we discussed the requirement of pole owners to provide new attachers with estimates and invoices itemized by pole. As AT&T even notes in its *ex parte* filing, this requirement relates to "complex and above communications space make-ready (non-OTMR)" charges."<sup>1</sup> Therefore, the claims of the need for additional time to

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<sup>1</sup> Letter of Frank S. Simone, AT&T, to Marlene H. Dortch, FCC, WC Docket No. 17-84, at 2, filed Jul. 23, 2018. See also *Draft Order* ¶ 47, n. 172 (referring to elimination of estimate stage under OTMR.)

implement system changes related to this requirement should not impact the effective date of the OTMR policies and procedures.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Jamie Susskind  
Betsy McIntyre