



Survey of Rates for Pole Attachments and Access to Rights of Way

(as of April 24, 2018)

The Rates and Fees Committee collected data to inform its deliberations. The primary analysis includes comparisons of (1) flat-fee wired vs. wireless pole attachment rates, (2) flat-fee regulated vs. unregulated rates for both wired and wireless pole attachments, (3) flat-fee wired and wireless pole attachment rates by type of facility owner, (4) pole attachment rates based on revenue sharing, (5) statewide pole attachment rates set by state legislation, and (6) rates for access to rights of way (ROW). Where possible, the analysis also examines any differences in federally regulated and state regulated rates. The key findings are:

- The agreements followed two models: flat rental fees and revenue sharing. Significantly more agreements were based on flat rental fees (1,146) than on revenue sharing (58).
- Wired pole attachments, which typically occupy one foot of space on the poles, had a mean rate of \$17.58 and a median rate of \$15.56. Wireless pole attachments, which can occupy a variable amount of space on poles often ranging from one to ten feet, had a mean rate of \$505.56 and a median rate of \$56.60.
- For wired pole attachments, unregulated rates (mean \$21.86, median \$20.01) were significantly higher than regulated rates (mean \$13.97, median \$9.90).
- For wireless pole attachments, unregulated rates (mean \$993.55, median \$360.00) were significantly higher than regulated rates (mean \$224.25, median \$50.00).
- For wireless pole attachments, regulated rates in areas subject to state regulation were higher (mean \$339.05, median \$50.00) than in areas subject to FCC regulation (mean \$82.26, median \$29.64), although these differences were not significant. Regulated rates for wired pole attachments were similar under FCC regulation (\$14.11) and state regulation (\$13.77).
- Among different types of facility owners, rates for wired pole attachments were highest for municipalities (mean \$23.32, median \$20.40) and lowest for private companies (mean \$7.69, median \$5.30). The difference was even larger for wireless pole attachments, with municipally owned public utilities still being the highest (mean \$1,225.07, median \$900.00) and private companies being the lowest (mean \$14.17, median \$8.88).
- Revenue sharing agreements typically charged 3%-5% of revenue and/or annual fees of \$60-\$6,000 ROW or attachment fee.
- Thirteen states have adopted statewide regulation that limits ROW and attachment fees to direct cost or caps the fee at \$50-\$250.
- Rates for access to ROW for wireless attachments were higher for municipalities (mean \$592.36, median \$300.00) than for IOUs (mean \$404.30, median \$100.00).

A. Data Collection

Professor Christopher Yoo of the University of Pennsylvania asked all participants in the BDAC process to submit any data they were willing to share on rates for access to poles, conduits, ducts,