

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA
in the City of Charleston on the 25th day of February 2025.

GENERAL ORDER NO. 261.2

In the matter of adopting and implementing
recommendations of the Pole Attachment
Task Force

CASE NO. 24-0703-T-E-CTV-GI

A proceeding on the Commission's own motion to
initiate a general investigation for the purpose of
establishing a task force to make
recommendations by General Order and/or
modification of the Commission's Rules for the
Government of Pole Attachments, 150 C.S.R. 38.

COMMISSION ORDER

The Commission adopts and implements the recommendations of the Pole Attachment Rules Task Force (Task Force); requires the collection of Uniform Pole Inspection Data and the creation of a Pole Inspection Information Database; and requires the members of the Task Force to jointly or individually file additional comments of the creation of a Pole Attachment Working Group.

BACKGROUND

On August 23, 2024, the Commission opened a proceeding on its own motion to initiate a general investigation to establish the Task Force to consider and recommend: (1) incorporating by General Order and/or rule modification to the Commission's Rules for the Government of Pole Attachments (Pole Attachment Rules), 150 C.S.R. 38, new processes for the resolution of pole attachment disputes that delay deployment of broadband projects by implementing a pre-complaint dispute resolution mechanism similar to the newly adopted Federal Communication Commission (FCC) Rapid Broadband Assessment Team (RBAT) and how such a process may be implemented by the Commission; (2) requiring utilities and pole owners to share pole inspection information with potential attachers; and (3) requiring utilities and pole owners to provide periodic reporting to the Commission on compliance with the Pole Attachment Rules and processing applications by potential attachers.

In addition to Staff, the Commission named all ILECs, competitive local exchange carriers (CLECs) that serve customers with CLEC-owned physical facilities, and electric utilities to the Task Force, and invited the participation of cable television providers, the West Virginia Broadband Council, and the West Virginia Department of Economic Development Office of Broadband. All, or any sub-group of CLECs named to the Task Force, could elect to participate jointly through a representative in lieu of participating independently.

Further, the Commission ordered that the Task Force conduct its initial meeting on or before October 4, 2024, and further that the Task Force file its final report and joint recommendations on or before December 16, 2024. For those Task Force members who did not agree on the recommendations submitted in the final report, the Commission provided that those members could file separate comments on or before December 30, 2024. These deadlines were extended by two subsequent Commission orders. Ultimately, the deadline for the Task Force's final report was set for January 31, 2025.

The Task Force met twice: on November 20, 2024 and December 11, 2024.

The Communication Workers of America (CWA) District 2-13 filed comments on January 29, 2025.¹

On January 31, 2025, the Task Force filed its Final Report.

On February 13, 2025, Charter Communications (Charter) filed a "Response to Task Force Final Report" (Charter Response).

On February 14, 2025, comments were filed separately by Frontier West Virginia, Inc. and Citizens Telecommunications Company dba Frontier Communications Company of West Virginia (together Frontier); Appalachian Power Company and Wheeling Power Company (together the Companies)²; and, the West Virginia Broadband Enhancement Council and the West Virginia Office of Broadband (together WV Broadband).

¹ In sum, the CWA recommended that the Commission require only approved contractors to perform modifications and create a publicly accessible electronic database to enforce this requirement; hear feedback from safety stakeholders; and require attachers to submit photographs of completed work. See *generally*, January 29, 2025, Comments of CWA.

² In the Companies' February 14, 2025 Comments the Companies incorporate and reference Comments filed on January 17, 2025 and January 24, 2025. (Companies' February 14, 2025, Comments at p. 1.) As of the date of the February 14, 2025 Comments, however, the January 17, 2025 and January 25, 2025 Comments do not appear on the Commission's web docket in this matter. The January 17, 2025 and January 25, 2025 Comments are attached to the Companies February 14, 2025 Comments as attachments 1 and 2, respectively.

On February 20, 2025, Monongahela Power Company and the Potomac Edison Company (collectively the FirstEnergy Companies), filed Reply Comments to the WV Broadband Comments (FirstEnergy Comments). Per counsel, American Electric Power (AEP) and Frontier also agreed with the FirstEnergy Companies' Reply Comments.

DISCUSSION

The Commission is charged with regulatory jurisdiction over pole attachments in W.Va. Code § 31G-4-1, et seq.³ Further, the Commission “shall administer and adjudicate disputes relating to the issues and procedures provided for under [W.Va. Code § 31G-4-1, et seq.],” titled “Make-Ready Pole Access.”⁴ The Commission created the Task Force to investigate whether any issues relating to pole attachments have caused delays and difficulties with the expansion of West Virginia’s broadband grant programs and broadband deployment. Further, the Task Force was charged to consider issues and impediments that cause delays in processing requests for access to a utility’s poles, ducts, conduits, or rights-of-way, and recommendations to address those issues and/or impediments. The Task Force also considered processes for expediting pole attachment disputes that may delay broadband deployment projects.

The Commission recognizes the importance of broadband access for communities across West Virginia. Moreover, as noted in the Task Force Final Report, “the landscape associated with broadband deployment today in West Virginia is vastly different than perhaps at any previous point due to the unprecedented funding levels presently available through the Broadband Equity, Access and Deployment (BEAD) Program, which follows on existing programs through the Rural Digital Opportunity Fund (RDOF), American Rescue Plan Act (ARPA), and West Virginia’s own Line Extension Advancement and Development (LEAD) program, Major Broadband Strategies Program (MBPS), and the Gig Ready program.”⁵

There are, however, impediments to the timely deployment of broadband facilities. Important for the purposes behind the Task Force are the delays caused by pole attachment disputes. Thus, in order to expedite resolution of pole attachment disputes, the FCC recently amended certain sections of its pole attachment regulations related to pole attachment disputes, including those referenced in W.Va. Code § 31G-4-4(b) and Pole Attachment Rule 1.6.

³ W. Va. Code § 31G-4-4(a).

⁴ Id.

⁵ Final Report at Bates 7, p. 4.

Specifically, the FCC amended 47 C.F.R. § 1.1415, which established the RBAT.⁶ The RBAT is an inter-bureau team created to expedite the resolution of pole attachment disputes that impede or delay active broadband deployment projects.⁷ The RBAT process provides a means to resolve pole attachment disputes prior to filing a formal complaint.⁸ The RBAT's goal is to review pole attachment disputes and assess whether the dispute is appropriate for expedited mediation and/or placement on the FCC's accelerated docket.⁹

In addition to the creation of the RBAT process, the FCC also adopted regulations requiring utilities to share information about their poles with perspective attachers.¹⁰ Again, this process was created to "help improve the attachment process and potentially reduce disputes, thus facilitating broadband deployment."¹¹ Specifically, upon request utilities must provide to potential attachers the information contained in their most recent cyclical pole inspection reports, or any intervening, periodic reports created before the next cyclical inspection, for the poles covered by a submitted attachment application.¹²

Further, the West Virginia Legislature required the Commission to adopt the rates, terms, and conditions of access to and use of poles, ducts, conduits, and right-of-way as provided in 47 U.S.C. § 224 and 47 C.F.R. §§ 1.1401 through 1.1415.¹³ The Pole Attachment Rules state that an amendment to 47 U.S.C. § 224 or 47 C.F.R. §§ 1.1401 through 1.1415 shall take effect in West Virginia sixty (60) days after the effective date of the federal change unless otherwise ordered by the Commission.¹⁴

The above provided the backdrop for the Commission's formation of the Task Force and its consideration of the Task Force's recommendations. The Task Force made four recommendations, as described below.

⁶ See 89 Fed. Reg. 2151 (January 12, 2024). The FCC promulgated its amended pole attachment rules on January 12, 2024. However, the amendments to 47 C.F.R. § 1.1411(c)(4) and new § 1.1415, 47 CFR 1.1411(c)(4), and 1.1415, did not immediately become effective. 89 Fed. Reg. 2151, 2170 (at Ordering Clause, ¶ 107). The effective date of the aforementioned sections would become effective by subsequent further public notice. Id. By subsequent public notice, the effective date of the amended regulations listed here was set at July 25, 2024. 89 Fed. Reg. 60317 (July 25, 2024).

⁷ 89 Fed. Reg. 60317, 60318.

⁸ 47 C.F.R. § 1.1415(c). A copy of the amended FCC pole attachment regulations can be found at <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-1#1.1415>.

⁹ See 47 C.F.R. § 1.1415(b).

¹⁰ See 47 C.F.R. § 1.1411(c)(4).

¹¹ 89 Fed. Reg. 60317, 60318

¹² 47 C.F.R. § 1.1411(c)(4).

¹³ W. Va. Code § 31G-4-4(b).

¹⁴ Pole Attachment Rule 1.6.

1. Accelerated Informal Dispute Resolution.

First, the Task Force recommended a Rapid Response Team (RRT) process, similar to the FCC's RBAT. The Task Force Final Report noted that the RBAT was largely modeled from a previously adopted process by the Maine Public Utilities Commission. As such, the Task Force prepared its RRT as process "an amalgamation of the RBAT process and the process utilized by the Maine Public Utilities Commission."¹⁵ The RRT is proposed as a multi-divisional team within the Commission, established to prioritize and expedite the resolution of pole attachment disputes that are alleged to impede or delay the deployment of broadband facilities and to provide a coordinated review and assessment of such disputes through non-binding mediation.¹⁶

A. Comments¹⁷

(i) Charter Response

In its Response, Charter indicated that it "fully supports the recommendations in the Task Force [Final] Report," including the adoption of the RRT process.¹⁸

(ii) WV Broadband

Initially, WV Broadband indicated that it supported the creation of the RRT. WV Broadband noted that the Task Force Final Report stated that the WV Broadband Council requested to be a part of the RRT process, yet the pole owners objected. WV Broadband was not included in the final proposed RRT process.

In its Comments, WV Broadband clarified that it was the WV Office of Broadband, specifically, that requested to be a part of the RRT process. Further, the WV Office of Broadband stated that its request was reasonable. The WV Office of Broadband explained it "has a real economic interest in pole attachment dispute resolution because it is funding and supervising the State's broadband expansion projects under the ARPA, BEAD, and other grant programs."¹⁹ In addition, "as a 'pass through awarding agency' or direct grantor of broadband expansion funds, the WV Office of Broadband is not a disinterested third party ... [i]t is obligated, by law and contract, to ensure the success of the projects it funds."²⁰

¹⁵Task Force Final Report at Bates 10, p. 7.

¹⁶Task Force Final Report at Bates 25.

¹⁷ Neither Frontier nor the Companies commented on the RRT process.

¹⁸ Charter Response at p. 1.

¹⁹ WV Broadband Comments at Bates 4, p. 3.

²⁰ Id.

The WV Office of Broadband clarified that its request to participate in the RRT process is limited to situations where the Commission or an interested party to a mediation believe its participation may aid in the mediation's efficient resolution stating that "The WV Office of Broadband is the State's expert on broadband projects,"²¹ thus, WV Broadband stated that the Commission should be afforded with the flexibility and discretion to invite the WV Office of Broadband to participate in RRT mediations where the Commission believes the WV Office of Broadband's participation could be helpful.²²

B. Commission Order

The Commission has reviewed the final proposed RRT process, and will adopt the proposed RRT attached as Exhibit 1 to the Task Force Final Report²³ upon entry of this Order. A copy of the RRT process is attached hereto as Appendix A.²⁴ The Commission finds the process outlined by the Task Force is comprehensive and a majority consensus in this proceeding, and will facilitate the purpose of accelerating resolution of pole attachment disputes between attachers and pole owners. However the Commission will remain flexible regarding seeking the advice and input of WV Broadband if the Commission determines that the WV Office of Broadband can be helpful in a particular project brought into the RRT process.

2. Sharing of Pole Inspection Reports.

The Task Force recommended that the Commission adopt the current FCC regulations regarding sharing of pole inspection reports as set forth in 47 C.F.R. § 1.1411(c)(4),²⁵ and incorporate those rules in the Commission's Pole Attachment Rules.²⁶

The West Virginia Broadband Enhancement Council (WVBEC) and WV Office of Broadband suggested that the Task Force recommend that the Commission require pole owners to collect additional information related to pole location, pole ownership, pole height, pole class, pole installation date, pole capacity, existing attachments, make-ready information, and the condition of the pole, which was characterized by the WVBEC and the WV Office of Broadband as "Uniform Pole Inspection Data", and that such data be collected by pole owners when performing pole inspections commencing on and after July 1, 2025.²⁷

²¹ Id. at Bates 5, p. 4.

²² Id.

²³ Task Force Final Report at Exhibit 1, Bates 24.

²⁴ The final proposed RRT process is attached to the Task Force Final Report as Exhibit 1, at Bates 25.

²⁵ Attached to Task Force Final Report as Exhibit 2, at Bates 29.

²⁶ Id. at Bates 14-15, pp. 11-12.

²⁷ Task Force Final Report at Bates 13, p. 10.

WVBEC further recommended creating a database with this additional information.²⁸

This recommendation was prompted because there are no requirements for standard information to be collected in cyclical pole inspection reports, and the reports often differ on a utility basis.²⁹ In addition to the collection of the Uniform Pole Inspection Data, the WVBEC and WV Office of Broadband recommended that the Uniform Pole Inspection Data be provided to both the Commission and the WV Office of Broadband so that those entities “could work collaboratively to determine the feasibility of creating a map to make the Uniform Pole Inspection Data available to applications seeking federal and state broadband funding ... on a case-by-case basis.”³⁰

To facilitate the collection of the Uniform Pole Inspection Data, the WVBEC and WV Office of Broadband offered to seek BEAD funding necessary to establish a single database, managed by the WV Office of Broadband in coordination with the Commission.³¹ The database would collect common pole inspection data points collected by utilities, pole owners, and attachers. The WV Office of Broadband would then integrate the data and map it on a prospective basis so that the information collected could be made available to, and utilized by, grant awardees.³² WVBEC and the WV Office of Broadband further contended that this is logical given that “pole inspections in West Virginia are currently being financed in large part through federal grant funds.”³³

While recognizing that the collection of Uniform Pole Inspection Data is “not without benefit,” the Task Force declined to make the collection of such data and the creation of a database part of their recommendations to the Commission. In relevant part, the Task Force stated that “the inclusion of such information does go beyond that presently required by the FCC Order ... [i]ndeed, the FCC expressly decided against the inclusion of such information.”³⁴

²⁸ *Id.* at Bates 13-14.

²⁹ *Id.* at Bates 13, p.10

³⁰ *Id.*

³¹ *Id.*

³² *Id.* at Bates 13-14, pp. 10-11.

³³ *Id.* at Bates 14, p. 11.

³⁴ *Id.*, *citing*, at fn. 10, “Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84, Fourth Report and Order, Declaratory Ruling, and Third Further Notice of Proposed Rulemaking,” FCC 23-109 (December 15, 2023) at Paragraphs 32-38.

A. Comments

(i) Charter

Charter, again, supported the recommendation of the Task Force to adopt 47 C.F.R. §1.1411(c)(4).³⁵ Specifically, Charter stated that the requirement the pole owners provide their most recent pole inspection reports upon request “is essential for transparency and safety.”³⁶

(ii) WV Broadband

WV Broadband supports the collection of expanded pole information and sharing of pole inspection data “unreservedly.”³⁷ WV Broadband, however, requested that the Commission require pole owners to collect expanded data, or the Uniform Pole Inspection Data referenced *supra*, and expanded upon the same in its Comments.

WV Broadband stated that discussions in the Task Force revealed that pole owners’ historical pole inspection reports differ among utilities. In addition, WV Broadband indicated that they “believe pole data relevant to prospective attachers is maintained by pole owning utilities in West Virginia in databases other than databases that contain their pole inspection reports.”³⁸ Thus, WV Broadband suggested that the Pole Attachment Rules require utilities to collect, on a prospective basis, the Uniform Pole Inspection Data.³⁹ This data includes pole location, pole ownership, pole height, pole class, pole installation date, pole capacity, existing attachments, make-ready information, pole condition, and inspection reports.⁴⁰

In addition, WV Broadband recommended that the Commission mandate that the Uniform Pole Inspection Data be provided to both the Commission and the WV Office of Broadband.⁴¹ This is to facilitate the creation of a utility pole attachment database.⁴² The proposed database would make the Uniform Pole Inspection Data available to applicants for federal and state broadband funding.⁴³

³⁵ Charter Response at p. 1.

³⁶ Id.

³⁷ WV Broadband Comments at Bates 5, p. 4.

³⁸ Id. at Bates 6, p. 5.

³⁹ Id.

⁴⁰ Id. at Bates 6-7, pp. 5-6. A description of each category of data is provided in a table on the aforementioned pages of WV Broadband’s Comments.

⁴¹ Id. at Bates 7, p. 6.

⁴² Id.

⁴³ Id.

The proposed database would be a secured, centralized collection of pole-related data “in a protected environment.”⁴⁴

According to WV Broadband, such information would benefit attachers and provide for a more efficient, timely deployment of broadband facilities. WV Broadband does recognize, however, that the database is likely to take several years to fully develop.⁴⁵ To that end, the WV Office of Broadband proposed to seek funding to facilitate the creation of the database, take the lead on the project, and assist in data collection.⁴⁶

WV Broadband recognized the claims from pole owners and utilities that pole inspection data is too costly and time consuming to collect. However, they indicated that without the Uniform Pole Inspection Data, broadband buildouts are stalled and projects are delayed, making it difficult for internet service providers (ISP) to meet federally mandated project milestones.⁴⁷

In order to facilitate their recommendation, WV Broadband provided its “Policy Recommendation for a West Virginia Pole Attachment Database,” prepared by AECComm, a technical consulting partner of the WV Office of Broadband.⁴⁸

(iii) The Companies

The Companies oppose the adoption of 47 C.F.R. § 1.1411(c)(4) and the requirement that pole owners and utilities share cyclical pole inspection reports.⁴⁹ The Companies further objected to the subsection of the rule that allows an attacher to amend its application following receipt of cyclical pole inspection report data.

Initially, the Companies argued that the burden of the Pole Inspection Report Rule on Pole Owners outweighs any benefit to third-party attachers. The Companies argued that the Task Force Final Report “exaggerates the utility of the Pole Inspection Report Rule.”⁵⁰ Further, they argued that “it is unclear how long the federal Pole Inspection Report Rule will persist.”⁵¹ This is because “stakeholders have challenged the Pole Inspection Report Rule on procedural

⁴⁴ Id. at Bates 9, p. 8.

⁴⁵ Id. at Bates 9, p.8.

⁴⁶ Id. at Bates 10, p. 9.

⁴⁷ Id.

⁴⁸ Id. at Bates 7, p. 6; *see also* Id. at Exhibit 1, Bates 17.

⁴⁹ *See generally* Companies’ February 14, 2025, Comments, Section B., at p. 5, *et seq.*

⁵⁰ Id. at p. 6.

⁵¹ Id.

grounds, including an argument that the Pole Inspection Report Rule is *ultra vires*” (i.e., without authority).⁵²

The Companies also argued that the Pole Inspection Report Rule is an unnecessary and redundant disclosure requirement.⁵³ In sum, they argue that the data collected by third-party attachers when planning a deployment prior to the submission of an application, the data in a cyclical inspection report would be stale and not as accurate as that collected by the application.⁵⁴ Moreover, the Companies argued, the data most relevant, whether or not a pole has been identified for replacement but not tagged as such, has little to no value in practice because the utility/pole owners will survey all such poles identified in an application upon receipt of said application.⁵⁵

Furthermore, the Companies stated any data contained in a cyclical pole inspection report would have little to no value for attachers because the reports cannot be requested until after an application is submitted. “The only way this data can be used by third-party attachers is through the amendment of pending pole attachment applications.”⁵⁶ And, the FCC’s Pole Attached Report Rule provides that an attacher may amend an attachment application after receiving pole inspection data.⁵⁷ The Companies, however, requested that the Commission strike the attachers’ right to amend an application after receiving the pole inspection data.⁵⁸

⁵² *Id.* In support of this argument, the Companies cite to a Petition for Reconsideration of the FCC’s Pole Inspection Report Rule, *inter alia*, in the FCC docket regarding the amendments to its Pole Attachment Rules. See Petition for Reconsideration of the Coalition of Concerned Utilities, WC Docket No. 17-84 (filed February 12, 2024, posted February 13, 2024). The Companies also cite Southern Company, Oncor Electric Delivery Company LLC, Entergy Corporation, Duke Energy Corporation, American Electric Power Service Corporation and Ameren Services Company’s Reply to the Oppositions to the Petition for Reconsideration of the Pole Inspection Report Ruling, WC Docket No. 17-84 (submitted March 25, 2024, posted March 26, 2024.) It appears upon review of the FCC’s docket in WC Docket No. 17-84, the Petition for Reconsideration was not ruled on before the FCC’s amended Pole Attachment Rules went into effect.

⁵³ Companies’ February 14, 2025, Comments at p. 7.

⁵⁴ *Id.* at p. 7.

⁵⁵ *Id.* at pp. 7-8.

⁵⁶ *Id.* at p. 8.

⁵⁷ 47 C.F.R. § 1.1411(c)(4)(iv). This provision specifically states:

After requesting and receiving pole inspection information from a utility related to poles covered by its application, a new attacher may amend an attachment application at any time until the utility grants or denies the original application.

(A) A utility that receives such an amended attachment application may, at its option, restart the 45-day period (or 60-day period for larger orders) for responding to the application and conducting the survey.

(B) A utility electing to restart the 45-day period (or 60-day period for larger orders) shall notify the attacher of its intent to do so within five (5) business days of receipt of the amended application or by the 45th day (or 60th day, if applicable) after the original application is considered complete, whichever is earlier.

⁵⁸ Companies’ February 14, 2025, Comments at pp. 9-10.

Lastly, the Companies stated that compliance with the Pole Inspection Report Rule would be burdensome. "Compliance could require producing utilities to review and redact material from every cyclical inspection report produced within ten (10) days per the rule." ⁵⁹

(iv) Frontier

Frontier noted that it is the only member of the Task Force that is a significant broadband attacher and a pole owner. Frontier commented that it, like other pole owners, cannot report data that we do not have.⁶⁰ Frontier suggest the Commission grant a meaningful opportunity for a hearing for evidence to be heard, including evidence regarding cost recovery, prior to adopting any requirements that impose significant new expenses on a party.⁶¹

(v) FirstEnergy Companies

The FirstEnergy Companies posit that the additional data requested by WV Broadband to be included in the Pole Inspection Reports is of questionable utility.⁶² The FirstEnergy Companies further expounded upon the cost and time it would take to collect the additional data, and implied that it must be determined who would be responsible for those costs (*i.e.*, customers) or how those costs would be allocated. Another point raised by the FirstEnergy Companies is that a mechanism is needed to protect critical infrastructure information from disclosure pursuant to requests under the West Virginia Freedom of Information Act, W.Va. Code § 29B-1-1, et seq.⁶³

B. Commission Order

The Commission will adopt the current FCC regulations regarding the sharing of pole inspection reports as recommended by the Task Force. The Commission considered the comments of the Companies in opposition to adopting this rule, in whole or in part. However, the Commission is under a mandate to adopt amendments to 47 U.S.C. § 224 or 47 C.F.R. §§ 1.1401 through 1.1415.⁶⁴ Specifically, The Pole Attachment Rules state that an amendment to 47 U.S.C. § 224 or 47 C.F.R. §§ 1.1401 through 1.1415 shall take effect in West Virginia sixty

⁵⁹ Id. at 9.

⁶⁰ Frontier Comments at p.2.

⁶¹ Id.

⁶² FirstEnergy Comments at p. 1.

⁶³ Id.

⁶⁴ W. Va. Code 31G-4-4(b): "The commission shall adopt the rates, terms, and conditions of access to and use of poles, ducts, conduits, and rights-of-way as provided in 47 U.S.C. § 224 and 47 C.F.R. § 1.1401 – 1.1415, inclusive, of the dispute resolution process incorporated by reference in those regulations and any subsequent modifications or additions to the provisions of the United States Code or Code of Federal Regulations provisions referenced herein."

(60) days after the effective date of the federal change unless otherwise ordered by the Commission.⁶⁵ Thus, the Commission will adopt 47 C.F.R. § 1.1411(c)(4) in its current form. The new requirements will be effective upon entry of this Order. A copy of 47 C.F.R. § 1.1411(c)(4) is attached to this Order as Appendix B

The Commission has further reviewed the comments and suggestions of WV Broadband regarding the collection of the Uniform Pole Inspection Data and creation of the Pole Inspection Database. While it may be a worthwhile endeavor, and giving due consideration to the Companies, Frontier's, and the FirstEnergy Companies' comments, the Commission determined that it cannot make a definitive ruling regarding a mandate for the collection of Uniform Pole Inspection Data or the creation of the pole information database. Thus, the Commission will hold continued proceedings on these issues in Case No. 24-0703-T-E-CTV-GI.

3. Pole Attachment Annual Reporting Requirement.

The Task Force recommended that the Commission adopt an annual reporting requirement for pole owners.⁶⁶ The proposed annual report requirement is attached to the Task Force Final Report as Exhibit 3.⁶⁷ This recommendation would require pole owners to file annual reports that contain information regarding third-party attachments including, "at a minimum, the number of pole attachment requests and, for each request completed in the reporting year, detail: the number of poles sought for attachment, the number of new attachments licensed resulting from the request, and the number of poles replaced associated with each licensed attachment request (differentiated by those funded by the utility with those funded by third-party attachers), the time to complete make-ready and make-ready charges assessed to respective attachers, for each requested license."⁶⁸

With regard to the adoption of this requirement, pole owners indicated, without expressing "outright objection," that the additional reporting requirements and collection of data would "impose an administrative burden and added expense on pole owners."⁶⁹ Based upon the Task Force Final Report, the Task Force duly considered the concerns of the pole owners. The Task Force, however, believed that "creating and maintaining a database of the type of information being proposed, compiling this information from available internal sources as necessary, and subsequently filing the same with the Commission on an annual basis would not create a substantial burden on the pole owners beyond the initial compilation of the data necessary for the filing of this annual report with the Commission."⁷⁰

⁶⁵ Pole Attachment Rule 1.6.

⁶⁶ Id. at Bates 15, p. 12.

⁶⁷ See Id. at Exhibit 3, Bates 31.

⁶⁸ Task Force Final Report at Bates 15-16, pp. 12-13.

⁶⁹ Task Force Final Report at Bates 16, p. 13.

⁷⁰ Task Force Final Report at Bates 16, p. 13.

The Task Force recommended that annual reporting should be filed by each pole owner with the Executive Secretary of the Commission by April 30th of each year for the preceding calendar year.⁷¹ To the extent poles are jointly owned, the Task Force is recommending that the electric utility be required to report on both its solely and jointly owned poles. In addition, the Task Force recommended that pole owners should not be confined to the annual reporting requirements being proposed herein, and thus the Task Force would encourage all pole owners to supplement its annual reporting with any additional information that is deemed relevant to the timely processing and licensing of pole attachments in West Virginia.⁷² The draft annual reporting requirement is attached as to the Task Force Final Report as Exhibit 3.⁷³

A. Comments

(i.) WV Broadband

WV Broadband endorsed the annual reporting requirement in the Task Force Final Report of the Task Force. WV Broadband further requested that the Commission include in the annual report compliance with project development milestones set forth in Pole Attachment Rules 10.3-10.6.⁷⁴ WV Broadband further requested that the Commission require utilities to:

- (1) Present both aggregated data on pole attachment requests for the year and individual data on each pole attachment request;
- (2) Describe any changes in process implemented during the previous calendar year, and any changes in process being considered for adoption in future years; and,
- (3) Report on both completed pole attachment requests and pole attachment requests that were withdrawn by an ISP, rejected by the utility, or were in some stage of incompleteness, and, if complete, where the application stands in the process, and the length of time it had been in that stage of the process.⁷⁵

⁷¹ Id. at Bates 18, p. 15. The Task Force stated the reasonable expectation for the initial filing of this new annual report by pole owners would be on April 30, 2025. See Id., at fn. 14.

⁷² Task Force Final Report

⁷³ Task Force Final Report at Bates 30.

⁷⁴ WV Broadband Comments at Bates 11, p. 10.

⁷⁵ WV Broadband Comments at Bates 12, p.11.

The WV Office of Broadband requested that a request for a waiver of any report be provided to the WV Office of Broadband. WV Broadband did support the filing of the annual reports on April 30 of each year, beginning with 2025.⁷⁶

(ii.) Frontier

Frontier stated that “the Commission should not create new cost burdens that shift costs unfairly and unreasonably.”⁷⁷ To clarify, Frontier indicated that it “is willing to provide future annual reports starting with the data for 2024 *with available information*.”⁷⁸ Frontier, however, was adverse to collecting and providing additional data outside of what it, and presumably, other pole owners have on hand.⁷⁹ “At a minimum,” Frontier stated, “the Commission must grant a meaningful opportunity for a hearing for evidence to be heard, including evidence regarding costs and cost recovery, prior to adopting any requirements imposing significant new expenses on a party.”⁸⁰

(iii.) The Companies

The Companies oppose the annual reporting requirement proposed in the Task Force Final Report.⁸¹ First, the Companies state that adopting the proposed annual reporting requirement would be inconsistent with the Legislature’s intent, noting that the FCC did not impose a similar annual reporting requirement and that the Commission previously rejected proposed deviations from the FCC regulatory framework.⁸²

The Companies further urged the Commission to reject the annual reporting requirement because it would impose significant burdens on pole owners while providing little to no benefit to broadband deployment. Indeed, the Companies stated:

The Reporting Requirement, if adopted, would require the Companies to compile and report tens of thousands of datapoints to the Commission by April 30, 2025 (and on a yearly basis thereafter). As explained in their

⁷⁶ *Id.* at Bates 13, p.12.

⁷⁷ Frontier Comments at p. 2.

⁷⁸ *Id.* (Emphasis added.)

⁷⁹ *Id.*

⁸⁰ *Id.* With regard to cost recovery, Frontier went on to state, “The power companies can and likely will apply to the Commission to include their expenses in a Commission-approved rate increase ... Frontier has no such cost recovery mechanism.”

⁸¹ Companies’ February 14, 2025, Comments at p. p.1

⁸² *Id.* at p.2.

January 17, 2025 and January 24, 2025 comments⁸³, the Companies do not currently have the resources to shoulder this incredible administrative burden.

The Companies stated that if the Commission would adopt the annual reporting requirement, it incorporate the revisions proposed in the Companies January 17, 2025, comments.⁸⁴

(iv) Frontier and FirstEnergy Companies

Frontier appears to oppose the adoption of the Task Force's proposed annual reporting requirement without an opportunity to be heard in an evidentiary hearing regarding costs and costs of recovery.⁸⁵

As noted above, the FirstEnergy Companies also expressed reservation regarding the proposed annual reporting requirement.⁸⁶

B. Commission Order

The Commission has reviewed the recommendation in the Task Force Final Report for the annual reporting requirement. The Commission believes that such an annual report would be beneficial. However, given the comments raised by the Companies, Frontier, and the FirstEnergy Companies, it would be premature to initiate such a requirement with the information currently before the Commission. As such, along with the Uniform Pole Inspection Data and pole information database, the Commission will hold continued proceedings in Case No. 24-0703-T-E-CTV-GI.

4. Joint List of Outside Contractors and Engineers.

The Commission directed the Task Force to consider and provide recommendations on the extent to which electric utilities and ILECs might be able to jointly approve a list of engineers and/or contractors that are authorized to review proposed pole modifications and perform modifications to both the power and communication space and how best to facilitate this process.⁸⁷

⁸³ Again, these comments referenced by the Companies are attached to the Companies' February 14, 2025, Comments, and were not docketed in this proceeding on the Commission's web docket.

⁸⁴ Companies' February 24, 2025, Comments at p. 5. The Companies' January 17, 2025, Comments are attached as Exhibit 1 to the Companies' February 14, 2025, Comments.

⁸⁵ Frontier Comments at p. 2.

⁸⁶ See, *supra*, p. 11.

⁸⁷ Pole Attachment Rule 11.1 requires a utility "to make available and keep up-to-date a reasonably sufficient list of contractors it authorizes to perform self-help surveys and make-ready that is complex, and self-help surveys and make-ready that is above the communication space on the pole." "The new attacher must use a contractor from this list to perform self-help work that is complex or above the communications space." Pole Attachment Rule 11.2 states that "[a] utility may, but is not required, to keep up-to-date a

At the initial meeting, the primary pole owners in West Virginia - AEP, First Energy, and Frontier - expressed a willingness to work cooperatively to provide such a list. During the Task Force second meeting on December 11, 2024, the primary pole owners produced their list of approved engineers and outside contractors.⁸⁸ This list was subsequently shared with the members of the Task Force and is attached to the Task Force Final Report as Exhibit 4.⁸⁹

The Task Force noted that the primary pole owners added additional approved contractors for work in both the communications and electric space to their list(s). The approval of new contractors, however, can take several months or more to ensure the contractors are qualified to safely perform the work.

The Commission has reviewed the list of approved contractors provided by primary pole owners and the comments of the Task Force regarding the same. The Commission finds that a readily available list of jointly approved contractors from the pole owners will accelerate the deployment of broadband in West Virginia, and make the application process and approval more efficient. Thus, the Commission has attached the joint list of approved contractors as Appendix C to this Order. The Commission will further require that pole owners update the joint list of approved contractors quarterly, beginning on June 30, 2025. The updated list will be maintained by the pole owners in a readily accessible format on the pole owners' website related to attachment applications and/or joint use request.

5. Implementation of the Task Force's Recommendations.

The Task Force recommended that that for purposes of expediency, its substantive recommendations should initially be adopted thorough a General Order. According to the Task Force, "[t]his will allow for all stakeholders involved in the deployment of broadband in West Virginia to take more immediate advantage of the Task Force's recommendations."⁹⁰ The Commission agrees, and will implement the Task Force's recommendations as indicated herein upon entry of this General Order.

The Commission will, however, pursue the appropriate modification of its Pole Attachment Rules as soon as practical. The Commission would also request further comments on the creation of the Pole Attachment Working Group, as referenced in the Task Force Final Report. As it is understood, the Pole Attachment Working Group would "be charged with the responsibility to monitor

reasonably sufficient list of contractors it authorizes to perform surveys and simple make-ready. If a utility provides such a list, then the new attacher must choose a contractor from the list to perform the work."

⁸⁸ Task Force Final Report at Bates 20.

⁸⁹ See id. at Exhibit 4, Bates 33.

⁹⁰ Task Force Final Report at Bates 21, p. 18.

state and federal pole attachment issues and advise the Commission on those developments, discuss new issues and ideas as deemed necessary, evaluate the complaint and informal dispute resolution process, offer input on any changes in formal regulations and make recommendations regarding whether the Commission should adopt subsequent FCC rule changes in West Virginia.”⁹¹ Any comments should be filed in Case No. 24-0703-T-E-CTV-GI within thirty (30) days of the entry of this order.

FINDINGS OF FACT

1. On August 23, 2024, the Commission opened a proceeding on its own motion to initiate a general investigation to establish the Task Force to consider and recommend: (1) incorporating by General Order and/or rule modification to the Pole Attachment Rules new processes for the resolution of pole attachment disputes that delay deployment of broadband projects by implementing a pre-complaint dispute resolution mechanism similar to the newly adopted FCC’s RBAT and how such a process may be implemented by the Commission; (2) requiring utilities and pole owners to share pole inspection information with potential attachers; and (3) requiring utilities and pole owners to provide periodic reporting to the Commission on compliance with the Pole Attachment Rules and processing applications by potential attachers.

2. On January 31, 2025, the Task Force filed its Final Report.

3. In the Task Force Final Report, the Task Force made four key substantive recommendations.

4. First, the Task Force recommended that the Commission establish an accelerated informal dispute resolution process similar to the FCC’s RBAT process.⁹²

5. Specifically, the Task Force proposed its RRT process, attached to this Order as Appendix A.⁹³

6. Second, the Task Force recommended that the Commission adopt the newly amended FCC rule that requires a utility to provide attachment applicants, upon request, information contained in the utilities most recent cyclical pole inspection report.⁹⁴

⁹¹ Id.

⁹² Task Force Final Report at Bates 11, p. 8.

⁹³ Id.

⁹⁴ Id. at Bates 14-15, pp. 11-12.

7. Specifically, the Task Force recommended that the Commission adopt the current FCC regulations (as amended) contained in 47 C.F.R. §1.1411(c)(4). A copy of the Code of Federal Regulations section is attached to the Order as Appendix B.

8. Third, the Task Force recommended that the Commission adopt an annual report requirement for utilities and pole owners.⁹⁵

9. The primary pole owners – AEP, First Energy, and Frontier Communications – provided a joint list of approved engineers and contractors.⁹⁶ A copy of the joint list is attached to this Order as Appendix D.

10. The Task Force recommended that that for purposes of expediency, the substantive recommendations should initially be adopted thorough a General Order. According to the Task Force, “[t]his will allow for all stakeholders involved in the deployment of broadband in West Virginia to take more immediate advantage of the Task Force’s recommendations.”⁹⁷

11. WV Broadband recommended that the Commission require pole owners to collection the aforementioned Uniform Pole Inspection Data. The purpose behind the collection of this information is the fact that there are no requirements for standard information to be collected in cyclical pole inspection reports, and the reports often differ on a utility basis.⁹⁸

CONCLUSIONS OF LAW

1. The Commission is charged with regulatory jurisdiction over pole attachments in W.Va. Code § 31G-4-1, *et seq.*⁹⁹ Further, the Commission “shall administer and adjudicate disputes relating to the issues and procedures provided for under [W.Va. Code § 31G-4-1, *et seq.*],” titled “Make-Ready Pole Access.”¹⁰⁰

2. The Commission should adopt the proposed recommendation of the creation of the RRT attached to this Order as Appendix A with the condition that the Commission may decide to request the advice of WV Office of Broadband for a particular RRT dispute if the Commission determines that such participation will enhance the process and reasonably contribute to the resolution of a dispute..

⁹⁵ See, e.g., Id. at Bates 18-19, pp. 15-16.

⁹⁶ Joint Report at Bates 20, p. 17.

⁹⁷ Joint Report at Bates 21, p. 18.

⁹⁸ Id. at Bates 13, p.10

⁹⁹ W. Va. Code § 31G-4-4(a).

¹⁰⁰ Id.

3. The Commission should adopt the current FCC regulations contained in 47 C.F.R. §1.1411(c)(4) that requires a utility to provide attachment applicants, upon request, information contained in the utilities most recent cyclical pole inspection report attached to this Order as Appendix B.

4. The Commission finds that a readily available list of jointly approved contractors from the pole owners will accelerate the deployment of broadband in West Virginia, and make the application process and approval more efficient. The Commission should require that pole owners update the joint list of approved contractors, attached to this Order as Appendix D, quarterly, beginning on June 30, 2025. The updated list shall be maintained by the pole owners in a readily accessible format on pole owners' website related to attachment applications and/or joint use request.

5. It is reasonable that the Commission hold further proceedings in Case No. 24-0703-T-E-CTV-GI on the issues of:

- (1) Collection of Uniform Pole Collection Data;
- (2) The creation of a pole information database, including logistics of collecting the data, privacy concerns, any funding that may be available to facilitate the collection of data, creation of the database, access to the database, and maintenance of the database;
- (3) The annual report requirement for pole owners including what data is included, collection of the data, and any cost/cost recovery proposals'; and,
- (4) The Pole Attachment Working Group, as referenced in the Task Force Final Report and herein.

6. Within ten (10) days of this Order, the Commission will require the members of the Task Force, including Staff, the Companies, Frontier, the FirstEnergy Companies, and Charter, to meet and confer and propose a procedural order, with deadlines for intervention, prefiled testimony, rebuttal testimony, and proposed hearing date(s) for further proceedings on the outstanding issues as specifically described herein. The WV Office of Broadband and WV Broadband Council are further invited to participate as interested parties.

ORDER

IT IS THEREFORE ORDERED that the recommendations of the Task Force regarding the Rapid Response Team, attached to this Order as Appendix A, are hereby accepted and implemented upon entry of this General Order as further described herein.

IT IS FURTHER ORDERED that the Commission adopts the Federal Communication Commission Pole Inspection Report Rule, 47 C.F.R. § 1.1411(c)(4), attached to this Order as Appendix B, upon entry of this General Order as further described herein.

IT IS FURTHER ORDERED that utilities and pole owners shall update the joint list of approved contractors, attached to this Order as Appendix C, quarterly, beginning on June 30, 2025. The updated list shall be maintained by the utilities and pole owners in a readily accessible format on their respective websites related to attachment applications and/or joint use request.

IT IS FURTHER ORDERED that within ten (10) days of this Order, the members of the Task Force, including Staff; Appalachian Power Company and Wheeling Power Company; Charter Communications; Frontier West Virginia, Inc. and Citizens Telecommunications Company of West Virginia dba Frontier Communications Company of West Virginia; Monongahela Power Company and the Potomac Edison Company, shall meet and confer and propose a procedural order, with deadlines for intervention, prefiled testimony, rebuttal testimony, and proposed hearing date(s) for further proceedings on the outstanding issues as described herein. The West Virginia Department of Economic Development Office of Broadband is invited to participate as interested parties.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission shall serve a copy of this Order by electronic service on incumbent local exchange telecommunications companies, electric utilities, competitive local exchange carriers and cable television providers. In addition, the Executive Secretary shall serve a copy of this Order electronically and by United States Mail on the West Virginia Broadband Council and the West Virginia Department of Economic Development Office of Broadband, and on Commission Staff by hand delivery.

A True Copy, Teste,

A handwritten signature in cursive script that reads "Karen Buckley".

Karen Buckley, Executive Secretary

JAF/lcw
GO 261.2c.sca

Rapid Response Team Mediation of Pole Attachment Disputes

1. Establishment of Rapid Response Team

A multi-divisional team within the Commission, to be known as the Rapid Response Team ("RRT"), shall be established to prioritize and expedite the resolution of pole attachment disputes that are alleged to impede or delay the deployment of broadband facilities and to provide a coordinated review and assessment of such disputes through non-binding mediation. The RRT shall consist of one or more staff from the Commission's Utilities, Engineering and/or Legal Divisions as necessary. The Division Directors shall designate appropriate individuals from their respective divisions to serve on the RRT as necessary from time-to-time. If necessary, the mediation of such disputes will be conducted by personnel from the Commission's Administrative Law Judge Division as designated by the Chief Administrative Law Judge.

2. Activities Prior to Initiating an Informal Pole Attachment Complaint

Any party contemplating the submittal of an informal pole attachment complaint to the RRT must first contact the other party or parties involved with the underlying dispute and provide notice that the initiating party plans to file an informal complaint with the RRT a minimum of within two (2) business days prior to the filing of any such informal complaint.

3. Initiating Informal Pole Attachment Complaints

a. The initiating party shall submit the informal complaint electronically to the Commission's RRT at (*Email Address To Be Determined*) and to the responding party's designated contact. The informal complaint must contain the appropriate caption for the Complaint (name of initiating company, pole owner(s) name(s), and date of submittal). The substance of the actual informal complaint must be provided in an electronic document in PDF format attached to the email submission.

b. An informal complaint must at a minimum contain the following information:

i. the pertinent facts underlying the informal complaint;

ii. a description of any potential harm that is occurring or is likely to occur as a result of the situation and any aspects of the dispute requiring immediate redress;

iii. indicate whether the dispute relates to an active broadband deployment plan or project. If yes, briefly explain the nature of such broadband deployment plan or project;

iv. indicate whether the plan/project is subject to a government-funded broadband program deadline, and if so, identify the amount of governmental funding at stake;

v. list the number of poles subject to this dispute, the length of time each application related to those poles has been pending, and what phase of the attachment application each pole or group of poles is in (e.g. initial review, survey/engineering, make-ready, etc.);

vi. provide a description of the steps which the involved parties have taken to resolve the dispute prior to the submittal of the informal complaint;

vii. identify the relevant statutory provision(s) and/or section(s) of the Commission's Pole Attachment Rules or orders alleged to have been violated;

viii. summarize the specific relief being sought;

4. Response to the Informal Complaint

a. The respondent party to the informal complaint shall submit a written response thereto within five (5) business days of receipt of the informal complaint. The response to the informal complaint shall be simultaneously served upon the party initiating the informal complaint.

b. The RRT shall gather and promptly review all pertinent information submitted by the parties relative to the informal complaint.

5. Informal Complaint Mediation Procedure

a. The Chief Administrative Law Judge will appoint a mediator to conduct the mediation. The initial mediation between the involved parties shall be scheduled to occur within seven (7) business days after the informal complaint is served upon the respondent party. Participation in the RRT mediation shall be mandatory for the complainant and respondent.

b. The mediator's function is to be impartial and to encourage voluntary settlement by the parties.

c. The mediator may not compel a settlement. The mediator may schedule meetings of the parties, direct the parties to prepare for those meetings, hold

private caucuses with each party, request that the parties share information, attempt to achieve a mediated resolution, and, if successful, assist the parties in preparing a written agreement.

d. Participants in the mediation shall include appropriate representatives from each party that are involved in the pole attachment application, survey, and make-ready processes and have the authority to enter into a settlement of the matters at issue.

e. Oral representations and written materials or submissions produced during the mediation process ("Mediation Communications") shall be private and confidential between the parties and may not be used or disclosed in any formal proceeding before the Commission or before any other tribunal unless compelled to do so by applicable law. Documents and information that are otherwise discoverable do not become Mediation Communications merely because they are disclosed or discussed during mediation. Unless otherwise directed by the Commission, the existence of the mediation will not be treated as confidential. The foregoing notwithstanding, a party may request that the existence of the mediation be treated as confidential in a case where this fact has not otherwise been publicly disclosed, and unless prohibited by applicable law, the Commission may grant such a request for good cause shown.

f. Parties to the mediation shall reduce to writing the mediated resolution of all or any portion of the mediated issues and submit the resolution to the mediator.

g. Any member of the commission staff or an Administrative Law Judge who serves as a mediator in any RRT informal complaint proceeding shall, by virtue of having served in such capacity, be precluded from serving in a decision-making role or as a witness on matters subject to the underlying mediation in any formal commission case involving the same parties and the same issues.

h. The RRT informal complaint mediation process shall be completed within thirty (30) calendar days from the date the initial informal complaint is submitted to the RRT for consideration.

i. For good cause shown, the time frame for completion of the RRT informal complaint mediation may be extended by the mediator for a maximum of fifteen (15) additional calendar days.

j. If an informal complaint is not resolved satisfactorily through the RRT informal complaint mediation process, then either party to the dispute retains the ability to file a formal Complaint with the Commission.

47 CFR § 1.1411(c)(4)***Information from cyclical pole inspection reports.***

(i) Upon submitting its attachment application, a new attacher may request in writing that the utility provide, as to the poles covered by such attachment application, the information regarding those poles contained in the utility's most recent cyclical pole inspection reports, or, if available, any more recent pole inspection report. The utility shall provide the new attacher with this information within ten (10) business days of the new attacher's written request.

(ii) Utilities shall retain copies of their pole inspection reports, in the form they are created, until a superseding report covering the poles included in the attachment application is completed.

(iii) For purposes of this section, a cyclical pole inspection report is any report that a utility creates in the normal course of its business that sets forth the results of a routine inspection of its poles during the utility's normal pole inspection cycle.

(iv) After requesting and receiving pole inspection information from a utility related to poles covered by its application, a new attacher may amend an attachment application at any time until the utility grants or denies the original application.

(A) A utility that receives such an amended attachment application may, at its option, restart the 45-day period (or 60-day period for larger orders) for responding to the application and conducting the survey.

(B) A utility electing to restart the 45-day period (or 60-day period for larger orders) shall notify the attacher of its intent to do so within five (5) business days of receipt of the amended application or by the 45th day (or 60th day, if applicable) after the original application is considered complete, whichever is earlier.

AEP APPROVED CONTRACTOR LIST FOR ENGINEERING AND CONSTRUCTION

Contractor	Email	Phone	State	Type
Tech Serv	Rob Johnson - rjohnson@techservltd.net	304-644-5213	West Virginia, Virginia, Tennessee	Survey / Engineering- Joint Use
Pike	Floyd Nichols - FNichols@pike.com	540-815-2192	West Virginia, Virginia, Tennessee	Survey / Engineering- Joint Use
TRC	Chris Jewett - cjewett@trcompanies.com	614-937-1127	West Virginia, Virginia, Tennessee, Kentucky	Survey / Engineering- Joint Use
Thayer Power	Dustin Ryan - dustinryan@thayerpc.com	740-624-4476	West Virginia, Virginia, Tennessee	Construction
New River	BJ Fleming - bfleming@nrec.net Andrew Jones - ajones@nrec.net	304-926-4779 614-216-6920	West Virginia, Virginia, Tennessee	Construction
Davis H. Elliot	Patrick Richards - prichards@dhec.com Josh Bryant - cbryant@dhec.com	681.238.8171 304.533.3355	West Virginia, Virginia, Tennessee	Construction

(Updated 11/21/2024)

**FRONTIER APPROVED CONSTRUCTION VENDORS
FOR FCC REGULATED STATES ONLY**



Name	AL	AZ	FL	CA	IN	IA	MN	MS	MT	NC	NE	NM	NV	PA	SC	IN	TX	WI	WV	
Bauer Underground, Inc.											X									X
CTS Telecommunications													X							
Curtis & Sons																				
D&L Utilities, Inc.																				X
Danella Line Services																				X
Direct Line Communications, Inc.																				X
Dycom																				X
Electrocom																				X
Guldenkauf Corporation																				X
Gulbranson Excavating Co.																				X
Gulbranson Excavating West																				X
Harris McBurney																				X
Henkels & McCoy, Inc.																				X
Housley Communications																				X
Hylan Datacom & Electrical																				X
J. Long Inc.																				X
John Gilje, Inc.																				X
Lamberts Cable Splicing Co.																				X
MasTec North America, Inc.																				X
MP Nextlevel LLC																				X
Murray County Land Improvement, Inc.																				X
Nichols Construction																				X
NNE Construction																				X
OBT Construction																				X
Quality Communications																				X
Robinson Brothers Construction																				X
Spallj Construction dba Fiber																				X
Star Construction																				X
Suttega, Inc.																				X
Taylor's Construction/Quanta																				X
Thayer Power & Communication																				X
Track Utilities																				X
Trawick Construction																				X
Waas Boring & Cable Co																				X

(Updated 11/21/2024)

**FRONTIER APPROVED CONSTRUCTION VENDORS
FOR FCC REGULATED STATES ONLY**



Name	ENGINEERING VENDORS																			
	AL	AZ	FL	GA	IN	IA	MN	MS	MT	NC	NE	NM	NV	PA	SC	TN	TX	WI	WV	
Alco Communications																				
Byers Engineering Company																				
Civent, Inc.																				
Faulk & Foster Real Estate, Inc.																				
Henkels & McCoy																				
Kenton Group LLC																				
Ladd Engineering Associates																				
L & B Engineering																				
Mt. Tech Services, Inc.																				
Milkers Utility Service																				
Mountain Ltd																				
Pearce Services																				
Squan Construction Services (fka Osrose Communications & Progressive																				
RW Communications																				
Tesinc, LLC																				

FRONTIER APPROVED CONSTRUCTION VENDORS
FOR FCC REGULATED STATES ONLY



Vendor	Address	City	State	Zip Code
Altop Communications	708 First St	Snohomish	WA	98290
Bauer Underground	1740 N. Airport Rd	Norfolk	NE	68701
Curtis & Sons Construction, Inc.	1201 S. Orchard Rd	Gardnerville	NV	89410
D&L Utilities, Inc.	1735 Rock Cliff Drive	Martinsburg	WV	25401
Direct Line	917 Union Street	Mishawaka	IN	46544
Electrocom, LLC	1660 W. Hospital Rd	Paoli	IN	47454
Gluderauf Corporation	2679 McKinley Ave.	Columbus	OH	43204
Gutranson Excavating	4770 Duffering Point	Evelaeth	MN	55734
Gubranson Excavating	3330 Rutlandford Street	Kingsman	AZ	85409
Hankels & McCoy	985 Jolly Rd	Blue Bell	PA	19422
Harris-McBumey Company	2120 N. US Highway 301	Tampa	FL	33619
J. Long Inc.	1109 First Street North	Reform	AL	35481
John Gilje, Inc.	141 Cypress Drive	Lake Havasu	AZ	86403
Kenton Group LLC	4454 Farway Oaks Drive, Ste 400	City	FL	33860
L & B Engineering	RD #1, Box 164	Dallas	PA	18612
Land Engineering	1509 Gatlin Avenue South	Fort Payne	AL	35967
Loftis Underground	4367 Green Meadow Rd	Cookville	TN	38506
MasTec North America, Inc	17395 Forest Blvd	Hugo	MN	55038
Migas Utility Service	163 Durango Dr	Salt Rock	WY	25559
Mountain Ltd	19 Yarmouth Dr	New	ME	4760
MP Nevada LLC	500 CR 37 E	Maple Lake	MN	55358
Murray County Land	1120 U.S. 59	Slayton	MN	56172
Improvement, Inc.				
Nichols Construction, LLC	1098 Clear Creek Rd	Vansant	VA	24656
NNE Construction, Inc.	163 Casino, Unit 5	Elko	NV	89801
North States Utility Contractors, Inc.	934 Hwy 17 South	Eagle River	WI	54521
OBT Construction, Inc.	5758 Old Highway 45 South	Martin	TN	38237
Osmose Communications	465 West Business Park Drive	Conway	AR	72034
Ofca Progressive	3618 Old Hickory Blvd	Old Hickory	TN	37138
Progressive Communication Services				
PS Spilford, LLC	1402 7th Avenue South	Oxford	NC	27565
Qualify Communications	6150 Northeast 137th Avenue	Denton	IA	51442
Robinson Brothers Construction, Inc.	45 Bonnick Drive	Vancouver	WA	98682
RW Communications	3190 Highway 78	Hartsburg	PA	17111
Spall Construction dba Fiber Technologies	306 Robinson St	Loganville	GA	30052
Subsea, Inc	3505 N. Roxboro Street	Spartanville	AL	35146
Transpobal	1555 South Blvd	Durham	NC	27704
Travick Construction Co.	136 Corporate Park Dr. - Site G	Chapley	FL	32428
Utilipath, LLC		Moorestville	NC	28117

**FRONTIER APPROVED CONSTRUCTION VENDORS
FOR FCC REGULATED STATES ONLY**



Vendor	Address	City	State	Zip	Code
Waas Boring & Cable Co.	N10483 Waas Rd	Lomira	WI	53048	
Wright General Construction Inc.	8093 County Hwy 61; PO Box 127	Willow River	MIN	55795	

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MON POWER AND POTOMAC EDISON APPROVED ENGINEERING AND CONSTRUCTION CONTRACTORS

FirstEnergy Approved Contractors List for Make-Ready				
Contractor	Email	Phone	State	Type
Davey Resource Group	OTMR@davey.com	330-673-9515 x1280	Maryland, Ohio, Pennsylvania, West Virginia	Survey / Engineering
Leidos Engineering, LLC	jake.george@leidos.com CC: Mark.DeSantis@leidos.com	724-344-7903	Maryland, Ohio, Pennsylvania, West Virginia	Survey / Engineering
Orbital Engineering	getattached@orbitalengr.com	412-450-4090	Maryland, Pennsylvania, West Virginia	Survey / Engineering
Sigma Technologies	FEmakeredy@teambigma.com	419-874-9262	Maryland, Ohio, Pennsylvania, West Virginia	Survey / Engineering
Wade Trim	ymolner@wadefirm.com	561-307-4246	Maryland, Ohio, Pennsylvania, West Virginia	Survey / Engineering
CW Wright	penny_baldwin@cwwright.com	804-768-1054	Maryland, Pennsylvania, West Virginia	Construction
Harlan Electric	jbejley@MYRgroup.com	717-516-6728	Ohio, Pennsylvania	Construction
Henkels & McCoy	thastings@henkels.com	717-266-5641	Maryland, West Virginia	Construction
Henkels & McCoy	bellis@henkels.com	215-283-8070	Pennsylvania	Construction
JW Didado	dsullett@jwdidado.com	330-374-0070	Maryland, Ohio, Pennsylvania, West Virginia	Construction
Main Lite	John@MainLiteElectric.com	330-369-8333	Ohio, Pennsylvania	Construction
NG Gilbert	kgoc@nggilbert.com	517-204-3312	Maryland, Pennsylvania, West Virginia	Construction
Team Fishel	jshaw@teamfishel.com	937-402-9507	Ohio	Construction
Thayer Power & Communication	rzhornberger@teamfishel.com bjburdette@thayerpc.com gregbest@thayerpc.com	724-774-5985 740-645-5049 740-205-8631	Pennsylvania Maryland, Ohio, Pennsylvania, West Virginia	Construction Construction
Thompson Electric	chrismulberry@thayerpc.com smanby@thompsonselectric.com	859-750-3321 330-686-2300 x3035	Maryland, Ohio, Pennsylvania, West Virginia	Construction

As of December 17, 2024