



Pennsylvania Rural Electric Association

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November 28, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Assumption of Commission Jurisdiction over Pole Attachments from the Federal Communications Commission; PUC Docket No. L-2018-3002672

Dear Secretary Chiavetta:

The Pennsylvania Rural Electric Association (“PREA”) hereby submits this letter to reply to some of the comments filed in the Pennsylvania Public Utility Commission’s (“Commission”) Notice of Proposed Rulemaking Order entered July 13, 2018 (“*NPRM Order*”) in the above-referenced matter.

PREA submitted a letter dated October 29, 2018 in lieu of more formal comments. PREA’s letter addressed the following fundamental points:

- PREA’s member cooperatives are not subject to the Federal Communications Commission’s jurisdiction over pole attachment matters. However, cooperatives are interested in this proceeding because we are fully committed to assisting and supporting all reasonable efforts to bring fiber-based and advanced technology broadband service to rural Pennsylvania.
- The current lack of broadband service in rural Pennsylvania is not the result of any cooperative actions or inactions. Providers of advanced broadband services simply have not offered to provide these services in cooperative service areas, and some commenters discussed difficulties experienced in providing broadband services.
- Some PREA member cooperatives are currently investigating or planning direct involvement in providing broadband services, despite financing, operational and other challenges.



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- PREA is willing to participate in any industry work groups established in Pennsylvania to facilitate the extension of broadband services to rural areas.

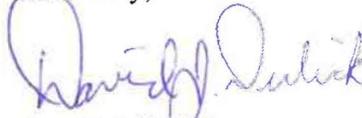
PREA's reply comments will focus on one issue: the lack of need for statutory changes on jurisdictional matters as noted in the NPRM Order. This focus is possible because, in fact, none of the parties filing initial comments documented any problems or negative experiences with Pennsylvania cooperatives on pole attachment matters.

Several commenters noted, without more, that PUC reverse preemption will not make cooperatives and municipalities subject to regulation without legislation. Only one entity – ExteNet – suggested that “it would be beneficial” for the General Assembly to grant this jurisdiction to the PUC (ExteNet Comments, P. 5). This bald statement is made without any substantiating evidence or documentation to back it up concerning problems with electric cooperatives in attachment matters. PREA submits that unsupported statements such as these provide no basis for the legislative changes proposed, and in fact merely propose a vague “solution” in search of a problem, particularly in view of PREA member cooperatives stated support of entities willing to bring advanced broadband services to their service areas and our record of cooperation and fair-dealing with attachers. PREA further submits that calls for such legislation can merely constitute a delaying tactic by entities best situated to bring modern broadband service to rural areas.

PREA has no substantive reply comments on other matters raised in the NPRM Order.

PREA reiterates its appreciation for the opportunity to provide these reply comments on the issues raised in the NPRM Order.

Sincerely,



David J. Dulick
General Counsel