



SECTION 6: THE TELECOMM. & UTILITY POLE SECTOR

4.7M COMMUNICATIONS LINES

Since the mid-1990s, both wireless and wireline telecommunications in Connecticut have been largely deregulated under state and federal law. Most telecommunications services, including cellular service, local and long-distance calling, “800” services, and voice over internet protocol (VOIP), are not subject to rate or quality regulations.

Connecticut customers can obtain telecommunication services from The Southern New England Telephone Company (Frontier Communications of Connecticut), which is the primary incumbent local exchange carrier, or from any number of Competitive Local Exchange Carriers (CLECs), or even from cable companies.

PURA continues to provide regulatory oversight of what is referred to as Plain Old Telephone Service (POTS), which is the traditional, analog voice transmission over copper wires. This service, however, has been largely replaced as customers have migrated towards more sophisticated competitive services.

PURA also plays an important role in promoting a competitive telecommunications market through its regulation of public rights-of-way and utility poles, which support a substantial portion of the state’s telecommunications infrastructure. With rapid advances in communications technology, PURA endeavors to maintain a regulatory scheme that facilitates equitable and timely access to these critical assets. Further, the CBYD program, discussed in Section 4: The Natural Gas Sector and overseen by the Authority, ensures that excavations related to underground telecommunications facilities are done safely and in coordination with other relevant utilities.

Finally, PURA is also responsible for determining and approving funding for public and community technology and telecommunications resources such as Connecticut’s

Enhanced Emergency 911 (E-911) program and community access television. These services are critical elements of Connecticut's infrastructure, providing education, and emergency support, and enhancing First Amendment rights for Connecticut's citizens.

KEY TELECOMM & UTILITY POLE TOPICS IN 2024

Enabling Broadband

In 2021, Public Act 21-159, An Act Concerning Equitable Access to Broadband, directed the state to begin promoting the build out of highspeed broadband internet service, particularly in underserved communities, such as rural communities, urban centers, or low-income areas. This Act also specifically directed PURA to develop a process and set of requirements for broadband providers that want to deploy certain underground telecommunications infrastructure in the public rights-of-way. Such requirements include:

1. The size of such conduit shall be consistent with industry best practices and sufficient to accommodate potential demand;
2. Any handholes and manholes for fiber optic cable access and pulling with respect to each such practice shall be placed at intervals consistent with industry best practices;
3. Such conduit shall be installed with a pull tape and capabilities of supporting additional fiber optic cable;
4. The applicant shall notify telecommunications service providers and broadband Internet access service providers of the proposed excavation to reduce the potential for future street excavations in the same location;
5. Any requesting telecommunications service provider or broadband Internet access service provider shall be able to access such conduit on a competitively neutral and nondiscriminatory basis and for a charge not to exceed a cost-based rate;
6. The applicant shall report to the Authority upon completion of any approved construction verifying that it has complied with the provisions of this subsection; and
7. Any other condition deemed prudent and reasonable by the Authority.

On January 14, 2022, PURA issued a notice of proceeding in Docket No. 21-12-21, PURA Implementation of Process and Procedures for Conduit Excavations for Telecommunications Service Providers and Broadband Internet Access Service Providers, pursuant to the requirements of Public Act 21-159. On February 8, 2023, PURA issued a Decision establishing a formal application and approval process for the coordination of construction of conduit excavations in the public rights-of-way by telecommunications and broadband providers. This process, as was intended by Public Act 21-159, will ensure that underground telecommunications and broadband facilities are deployed with

efficiency and care, both minimizing deployment costs and disturbances in the public right-of-way (i.e., fewer instances of streets and sidewalks being dug up). Additionally, this application process will help ensure a competitively neutral and nondiscriminatory process that promotes timely construction of underground excavation while reducing the potential for future excavations.

Specific components that help to achieve these outcomes include a five-year moratorium on underground excavations on certain CTDOT-noticed construction and maintenance projects to ensure the viability of new construction, and a notification deadline to ensure that all broadband providers have the opportunity to review proposed excavations so as to minimize future excavations.

This process formally took effect as of the date of the Final Decision. Applications submitted in compliance with this process have been filed in Docket No. 23-02-03, [Application of Conduit Excavation and Notification Process for Telecommunications Service Providers and Broadband Internet Access Service Providers](#), since that date. In 2024, PURA reviewed and approved 351 applications for conduit excavations statewide, helping to support the deployment of broadband infrastructure.

Additional Conduit Excavation Resources

- [Final Decision](#)
- [Conduit Excavations Applications](#)

Utility Pole Safety

Utility poles support many services required by modern society including broadband attachments, telephone service, and electric distribution wires. Their common placement throughout communities helps to make these services accessible for millions of residents and businesses. However, given utility poles' proximity to where people live and work, structurally compromised poles can present a significant risk to public safety. Proper and regular maintenance procedures are therefore essential to ensuring safety for all.

An ongoing issue related to poles in Connecticut are the existence of "double poles" that result from inefficient pole maintenance and replacement. The term "double poles" refers to instances when a replacement pole is installed next to an existing pole, but the existing pole removal is not completed. Not only are double poles an aesthetic issue, but they can present public safety hazards. The most common cause of this condition is that all the attachments on the existing pole have not been transferred, which can be hindered by the fact that they must be transferred to the new pole sequentially before the original pole can be removed. If all the attachments are not transferred in a timely manner, the new and old pole may exist together for an extended period of time.

Previous requirements placed the responsibility of transferring a pole attachment on the attachers themselves, but authorized the pole custodian to transfer the facilities if the attachers did not meet the required deadline. If the pole custodian did not comply with the deadlines, they would be subject to fines. Notwithstanding this rule, the number of

double poles throughout the state swelled to 24,672 by June 1, 2022, with over 15,000 of those in delayed status.

In December 2022, the Authority approved a pilot program through its Final Decision in Docket No. 21-07-29, Single Visit Transfer Process for Double Poles (SVT Decision), to test a “single visit transfer” process (SVT Pilot Program) over a six-month period in six communities around the state (three in Eversource territory and three in UI territory). This pilot was implemented by a mutually selected contractor to make all simple transfers on double poles in those six communities, while collecting data on the status and cause of delays related to poles.

EOE filed its report on progress made, lessons learned, and any modifications made during the pilot phase on August 22, 2023. EOE surveyed stakeholders involved in the SVT Pilot Program including Eversource, UI, Frontier Communications of Connecticut, New England Cable and Telecommunications Association, Inc. (NECTA), Rocky Mountain Fiber Plus (Rocky Mountain), Charter Communications Entertainment I, LLC (Charter), Comcast of Connecticut (Comcast), NetSpeed, LLC (NetSpeed), Crown Castle Fiber, LLC (Crown Castle), and Lumen Technologies, Inc. (Lumen). The survey revealed that the SVT Pilot Program was largely successful over the six-month test period. There were no safety issues, no unscheduled customer interruptions, no traffic control issues, and most importantly, double poles had been significantly reduced in the six pilot communities. Further, the contractor retained to implement the pilot was able to address both simple and complex transfers, and successfully coordinated with pole attachers and the EDCs.

Despite this success, EOE’s report also concluded that there are still challenges that persist in implementing this program in the long term. Eversource and the contractor both highlighted persistent labor and materials shortages that cause delays. An additional concern is the cost and responsibility of ensuring that all pole transfer data, both pre- and post-work, is accurately documented. Both EDCs have indicated that while it is reasonable for them to be responsible for updating the database, a SVT Program at scale would be a significant undertaking. Ideally, the contractor conducting pole transfers would be able to perform this data recording. Unfortunately, the database currently in use does not support this kind of user interface; EOE therefore recommended that the Pole Attachment Working Group continue to discuss what modifications to the database are achievable to facilitate efficient updates and allow contractors to engage with it.

In compliance with the direction in the Authority’s SVT Decision, EOE submitted updates on the SVT Pilot Program in February and August 2024. In these reports, EOE highlighted ongoing issues regarding the accuracy of data reporting in the SVT program and the incompatibility of the database software. However, in the September 2024 update, EOE reported that the database software provider had proposed improvements to the Working Group that appear to help address issues and streamline the SVT process. The costs of such improvements and how to

allocate them were planned for discussion at the next Working Group meeting(s) and will be reported on by EOE in its report to PURA, due by February 22, 2025. Additional details on the removal of double poles can be found in Section 8: Office of Education, Outreach & Enforcement.

Ensuring Continuity of Public Telecommunication Resources

In addition to supporting the deployment of broadband and ensuring the structural safety of the poles throughout the state, the Authority determines and approves funding for important public services each year including certain state-directed grants, Connecticut's Enhanced Emergency 911 (E-911) program, and community access television funding.

PEGPETIA

In 2007, the General Assembly established the Public, Educational and Governmental Programming and Education Technology Investment Account (PEGPETIA) program to promote and improve public, educational, and governmental programming and to support education technology initiatives through the enactment of Public Act 07-253, An Act Concerning Competitive Video Services. This account is funded by a quarterly tax on the gross earnings of video service providers, while the Authority is responsible for determining the allocation of accumulated funds into the account and administering grants to eligible entities.

Each year, PURA opens a proceeding where it accepts applications for funding. The Authority opened Docket No. 23-10-02, Allocation of Public Educational and Governmental Programming and Education Technology Investment Account Pursuant to Conn. Gen. Stat. Sec. 16-331cc, on September 12, 2023, to distribute \$3,006,596 in available funding.

Fifty percent (50%) of available funding is allocated to local community television councils, the state-wide video advisory council, public, educational, and governmental programmers and public, educational, and governmental studio operators; the other fifty percent (50%) is allocated to boards of education or other entities offering education technology initiatives. In the event that the total amount requested by eligible applications for one category is less than 50%, and the other is greater, PURA may reallocate excess funds to the other category.

The Authority received a total of 117 applications. The Authority delegated the review of the applications to EOE and directed that office to file a motion with a draft proposed decision. EOE filed the motion on March 25, 2024, finding 113 of the 117 applicants to be eligible with 39 seeking a total of \$4,348,165.63 for "public, educational and governmental" programming (PEG Grants) and 74 seeking a total of \$11,161,306.75 for "education technology initiatives" (ETI Grants). Over 20% of the budget items in those applications were for costs that are ineligible for PEGPETIA funding, such as expenses for permitting, travel, lodging, and salaries. PEGPETIA

grant funds may not be used on non-equipment costs such as salaries, service agreements, or stipends. As noted in the application, non-equipment costs, such as design and engineering, installation, training, warranties, or insurance, must be reasonable and should be limited to less than 10% of the overall grant. Software may be categorized as equipment. A complete list of awardees and the amount of funding received is available in the decision.

[Read the 2024 PEGPETIA Final Decision.](#)

Table 11: 2024 PEGPETIA Requests, Funding, and Awards

Grant Type	Total Request	Funding Available	Awarded
PEG	\$3,055,535	\$3,055,535	\$3,055,535
ETI	\$6,647,582	\$4,144,465	\$4,061,070
Total	\$9,703,117	\$7,200,000	\$7,116,605

E911 Program

The Authority is statutorily responsible for determining the amount of the monthly fee to be assessed on each telephone service, commercial mobile radio service (CMRS or wireless), customer-owned coin operated telephone (COCOT) service, and Voice over Internet Protocol (VoIP) subscriber to fund the administration of the E-911 program. PURA bases this fee on:

1. The operating budget established by Department of Emergency Services and Public Protection (DESPP), taking into consideration any existing moneys available in the Enhanced 9-1-1 Telecommunications Fund;
2. A progressive wire line inclusion schedule (excluding CMRS) that considers “the final report of the task force to study enhanced 9-1-1 telecommunications services established by Public Act 95-318;” and
3. A maximum fee of \$0.75 per month per access line.

The Authority calculates the E-911 monthly assessment fees for non-CMRS customer accounts with multiple lines using a progressive schedule. In other words, the more lines on an account, the less the account pays per line. Telecommunications companies report the total number of accounts based on number of lines to PURA, while DESPP reports the annual operating budget for the E-911 program. Examples of expenses comprising this budget include database services, network management and maintenance, translation services, regional telecommunications centers, and training. Using these values, PURA can calculate a per-line monthly fee necessary to fund the program.

In Docket No. 24-01-05, Annual Assessment Proceeding to Fund the Development and Administration of the Enhanced Emergency 911 Program - 2025, using the telecommunications companies’ provided line numbers and the 2025 E-911 budget of \$38,370,646.17 provided by DESPP, PURA calculated a single-line fee of \$0.73 per month. Accounts with more than one line pay a lower rate per line on a

progressive scale, as low as \$0.15 per line. The \$0.73 per line fee is a five cent increase over 2024, which was a two cent decrease from 2023.

[Read the 2025 Enhanced E-911 Decision.](#)

Annual Community Access Support Review

Public access television programming provides benefits that are not necessarily easily quantified but are nonetheless important public services, such as enhancing a sense of community and First Amendment rights. Connecticut law requires multichannel television companies (e.g., cable or satellite television), referred to as “multichannel video programming distributors” (MVPDs) to fund public community access programming (CAP) by assessing a baseline \$5 per year charge on each of their customers. The Authority is responsible for determining whether this charge should be adjusted each year to reflect any increase or decrease in the consumer price index (CPI) in the previous year.[1]

Further, the Authority can adjust the community access subscriber fee amount for each MVPD within a range of 40% above or below the statutory benchmark, as adjusted for inflation, based on the following criteria:

- The level of public interest in community access operations in the franchise area;
- The level of community need for educational access programming;
- The level and breadth of participation in community access operations;
- The adequacy of existing facilities, equipment and training programs to meet the current and future needs of the franchise area; and
- Any other factors determined to be relevant by the Authority.

Through Docket No. 24-01-06, Annual Community Access Support Review, PURA assessed the subscriber fee amount for each MVPD that took effect on July 1, 2024. Using data from the Bureau of Labor Statistics, PURA found that the 2023 rate of inflation as measured by the CPI for the Northeast Urban Region is 2.59%. To determine the +/-40% range within which the per subscriber amount can be set, the Authority adjusts the original statutory \$5/subscriber amount for inflation. In the 2023 Decision, the Authority found that the statutory amount as adjusted for inflation was \$10.82. Increasing this amount by 2.59% for 2023 CPI inflation equates to a value of \$11.10. Forty percent of \$11.10 is \$4.44. Consequently, the community access support per subscriber for each MVPD must be between \$6.66 (\$11.10 - \$4.44) and \$15.54 (\$11.10 + \$4.44). The Final Decision in Docket No. 24-01-06 thus calculates the 2024 subscriber fee for each MVPD, which all fall within the statutory range identified above.

[Read the 2024 Community Access Support Final Decision.](#)

Maintaining Standards of Service

Frontier Quality of Service Standards Violations Enforcement (Docket No. 24-01-15RE01)

On July 10, 2024, the Authority issued a “Notice of Violation and Civil Penalty,” or an “NOV,” to Frontier Communications (Frontier) for the amount of \$2,481,800. PURA received a petition from OCC in January 2024 for PURA to investigate Frontier’s quality of service compliance. As a result of this investigation, PURA’s NOV stated that Frontier had repeatedly failed to meet quality of service standards between January 15, 2023, and December 31, 2024.

Service standard regulations for all telephone companies and certified telecommunications service providers have been in place in Connecticut since November 8, 2000.[2] Per statute, these standards are designed to “include, but not be limited to, measures relating to customer trouble reports, service outages, installation appointments and repeat problems as well as timeliness in responding to those complaints or reports.”[3] To enforce its regulations, PURA is authorized by Title 16 of the General Statutes to prescribe up to \$10,000 for each violation, with each distinct violation considered a separate offense.

Companies that receive an NOV have the right to request a hearing within 20 days of receiving an NOV. If they do not, they must comply with the orders in the NOV. On July 29, 2024, Frontier submitted its request for a hearing, which was scheduled for November 6, 2024. However, on November 4, 2024, Frontier and OCC jointly filed a motion requesting that the hearing be cancelled so that they could finalize the negotiation of a settlement. PURA granted the motion.

On November 14, 2024, Frontier and OCC jointly filed their negotiated settlement, which would result in \$860,000 in bill credits to impacted Frontier customers, in addition to more detailed semi-annual reporting by Frontier. The Office of the Attorney General noted its support of the settlement. The Authority approved the settlement on November 19, 2024, provided that OCC notify PURA immediately of any non-compliance that could trigger additional future NOV(s) in the future.

This proceeding highlighted the importance of the various roles in Connecticut’s utility regulation ecosystem, and the procedures in place to successfully enforce the standards of service and protection of customers.

[Read the Settlement Motion Ruling.](#)

[1] General Statutes § 16-331a(k).

[2] Conn. Agencies Regs. §§ 16-247g-1 - 16-247g-9

[3] General Statutes § 16-247p(a)

2024 TELECOMM. & UTILITY POLE SECTOR DECISIONS

Docket Number	Title	Decision Date
23-10-02	Annual Allocation of Public Educational and Governmental Programming and Education Technology Investment Account pursuant to Conn. Gen. Stat. § 16-331cc	5/1/2024
24-01-05	2024 Annual Assessment to the Emergency Enhanced 911 Program	5/15/2024
24-01-06	Annual Community Access Support Review	5/29/2024
24-01-15	Petition of Office of Consumer Counsel for Investigation of Quality of Service Standards for The Southern New England Telephone Company d/b/a Frontier Communications	7/10/2024
24-01-41	Request to Transfer Community Access Provider Designation	8/7/2024
24-05-11	Petition for Declaratory Ruling on Behalf of Communications Workers of America Local 1298 Regarding General Statutes 16-42	10/23/2024
24-06-15	Petition of Verizon New York Inc. to Reclassify Remaining Services as Competitive and to Retire the Alternative Form of Regulation Plan	10/16/2024

A comprehensive list of PURA 2024 decisions is available in Appendix 2, attached to this Report.