Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment	)	WC Docket No. 17-84
	)	
	)	
	)	

REPLY COMMENTS OF THE WIRELESS INFRASTRUCTURE ASSOCIATION

The Wireless Infrastructure Association ("WIA")[1] respectfully submits these reply comments in response to the Fourth Further Notice of Proposed Rulemaking in the above-captioned proceeding.[2] The record in this docket reflects a broad consensus among all stakeholders on the fundamental goal: accelerating the deployment of high-speed broadband to all Americans. Both attachers and pole owners agree on the need for clear, predictable, and efficient "rules of the road" to reduce delays and disputes that hinder this critical objective.[3] In addition to this consensus around clarity and consistency in regulations, many commenters caution against overly prescriptive rules that could limit parties' ability to contract and develop mutually beneficial agreements. Pole attachments are complex endeavors that cover broad geographic areas

[1] The Wireless Infrastructure Association ("WIA") represents t0he businesses that build, develop, own, and operate the nation's wireless infrastructure. Members include infrastructure providers, wireless carriers, and professional services firms that are responsible for telecommunications facilities around the globe.

[2] *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Fifth Report and Order, Fourth Further Notice of Proposed Rulemaking, and Orders or Reconsideration, WC Docket No. 17-84, FCC 23-109 (rel. July 25, 2025) ("Fourth FNPRM").

[3] *See, e.g.,* Comments of Incompas, WC Docket No. 17-84 at 2-3 (Sept. 22, 2025) ("INCOMPAS urges the agency to ensure that rules reflect the operational realities and challenges our members face in the field prioritizing transparency, consistency, and efficiency across utility practices"); Comments of USTelecom, WC Docket No. 17-84 at 2 (Sept. 22, 2025) ("The Commission's longstanding light-touch approach. . . best promotes deployment by giving pole owners and attachers flexibility to collaboratively, efficiently, and effectively solve the varied and often unpredictable day-to-day issues that arise when deploying facilities.").

and are routinely subject to requirements from multiple authorities. The scope and number of variables that go into these deployments should counsel the Commission towards ensuring that its rules are flexible enough to allow projects to timely proceed even when unexpected or unforeseeable changes arise.

To that end, WIA supports the Commission adopting meaningful reforms in this proceeding that unlock infrastructure investment through a predictable, proportionate, and transparent permitting framework. Specifically, WIA echoes the support for reforms in the record including: (1) clarifying that Section 224 applies to utility-owned light poles; (2) ensure timely access to a sufficient and qualified workforce to facilitate these deployments; and (3) setting clear guidelines to ensure predictable and consistent make-ready costs and timelines for post make-ready activities.

I. THE COMMISSION SHOULD CLARIFY ITS DEFINITION OF POLE UNDER SECTION 224 INCLUDES LIGHT POLES.

The record overwhelmingly demonstrates the critical need for access to utility-owned lighting structures to support network densification and the deployment of 5G services.[4] As provided by CTIA, and supported by numerous commenters, interpreting Section 224 to include these structures is not an expansion of the Commission's jurisdiction but a necessary affirmation of its existing authority in light of modern network architecture.[5] In addition to this plain reading of the statute, access to light poles will be of increasing importance as service providers continue to densify their networks to support bandwidth-intensive uses of wireless networks including enabling AI-powered tools, autonomous vehicles, and the Internet of Things ("IoT"). In order to

[4] *See generally* Comments of CTIA, WC Docket No. 17-84 (Sept. 22, 2025). *See also* Comments of Extenet, WC Docket No. 17-84 (Sept. 22, 2025); Comments of Crown Castle Fiber LLC, WC Docket No. 17-84 (Sept. 22, 2025) ["Comments of Crown Castle"]; Comments of Incompas.

[5] *See* Comments of CTIA (providing the legal and practical justifications for the Commission making this clarification).

support these innovations, and provide a consistent attachment framework, the Commission should proceed with this clarification.

WIA agrees with commenters that provide the Commission's authority is based on the functional definition of a "pole," and a structure used to support wires and other equipment clearly falls within that scope.[6] Any legitimate outstanding concerns regarding safety and structural capacity are not grounds for a blanket prohibition; rather, they are precisely the issues to be addressed on a case-by-case basis through the attachment application and engineering review process. Increased capacity demands will require denser networks with infrastructure closer to the end user; denying access to this entire category of infrastructure would significantly stifle innovation and erect new barriers to 5G deployment.

II. THE COMMISSION SHOULD ENACT CAREFULLY CONTOURED REFORMS TO ACCELERATE DEPLOYMENT.

A. Setting Clear Rules for Contractor Onboarding Will Help Reduce Delays.

Another potential source of delay is inconsistent processes for approving an attacher's qualified third-party contractors. As discussed in comments from attachers like Crown Castle and Extenet, attachers may have to wait months, or longer, for a utility to approve a contractor, which can bring planned deployments to a halt.[7] Ensuring a reasonable and predictable timeline for utilities to approve or deny a contractor application will help set expectations for attachers and utilities alike and remove a potential bottleneck in these deployments.

While WIA agrees that standards for insurance, training, and safety are paramount, a lack of clarity in the Commission's rules currently has created the opportunity for delay in enabling

[6] *See, e.g.,* Comments of CTIA; Comments of Crown Castle at 10-13.

[7] *See* Comments of Extenet at 8-9; Comments of Crown Castle at 14-16.

qualified contractors to begin necessary work.[8] The Commission can remedy this by establishing a clear set of objective, non-discriminatory criteria that qualified contractors must meet. WIA agrees with commenters that the Commission is well-positioned to identify consistent requirements and skills, such as software systems, standards, and policies that are commonly utilized across various utilities.[9] Once an attacher presents a contractor that meets these criteria, the utility's review should be a simple administrative verification that can be completed quickly.

B. Predictable Rules for Make-Ready Cost and Deployment Timelines Can Help Prevent Disputes Where Parties Have Not Previously Addressed These Issues in Agreements.

WIA also supports recommendations to ensure reasonable and predictable make-ready costs and that attachers timely proceed with proposed deployments once make-ready work is completed. While parties are often able to reach agreements on these issues, an outstanding source of delay and dispute is the unpredictable cost of make-ready work. WIA generally supports recommendations that parties impose cost discipline, seek to minimize cost overruns, and ensure work is done in a timely manner. Specifically, WIA supports the Commission seeking to address situations including where final costs exorbitantly exceed estimates, duplicative application requirements, and when attachments do not timely take place after make-ready work is completed.

Due to the complexity and various factors that go into a successful pole attachment buildout, it is crucial for the Commission to provide flexibility in its rules that supports parties entering into agreements that set out mutually beneficial terms that both parties believe are practicable. Where disputes still arise, the Commission's Rapid Broadband Assessment Team ("RBAT") process presents an effective venue for resolution pursuant to fact-based inquiries.

[8] Comments of Crown Castle at 16 ("The lack of any regulatory limitation on onboarding timelines allows utilities to indefinitely delay the make-ready process, effectively nullifying the self-help provisions.").

[9] *See* Comments of Extenet at 8-9.

However, in extreme cases it is also appropriate for the Commission to step in and ensure reasonable procedures are being followed. Issues raised in the record of attachers receiving final bills in excess of ten times the original estimate are likely ripe for this kind of intervention.[10] WIA also supports recommendations for reasonable ceilings on make-ready costs in order to incentivize expedient completion of work and encourage pole owners to communicate clearly and early to attachers of potential cost overruns.[11]

WIA also highlights concerns raised by Crown Castle of duplicative requirements during the application process.[12] Specifically, if a pre-application procedure is required, such as completing assessments of pole loading and other engineering, the utility should be limited in its ability to pass along the cost of performing substantively similar review without evidence of some gross error in the assessment included with the application.[13] Further, where a utility does believe the assessment must be performed again, it should be encouraged to share necessary engineering standards with the attacher. This will ensure that duplicative work is not improperly being required and help prevent similar deficiencies going forward.

Finally, WIA supports the comments discussing the Commission adopting a presumptive timeframe for completing attachments after the completion of make-ready work.[14] As discussed in those comments, while the industry is not necessarily opposed to a timeline for attachments after

[10] Comments of Crown Castle at 2.

[11] Comments of Extenet at 6 ("If utilities expect to exceed their initial estimate but are limited in their ability to simply pass those costs on, they are more likely to notify attachers in advance of the cost increase, work collaboratively to minimize such additional costs, or come to a mutual agreement on a new estimated cost.").

[12] *See* Comments Crown Castle at 9-10.

[13] *Id.*

[14] *See* Comments of Crown Castle at 5-7; Comments of Extenet at 3-4; Comments of Incompas at 4-6.

make-ready work is completed, a 120-day timeline is likely insufficient for the reality of the time needed to complete the relevant work. Similar to other requirements, parties will often agree to terms for when attachments must be completed, which should be encouraged,[15] but the Commission can provide an important backstop for when the work is not being completed in a reasonable time. WIA believes that if the Commission does adopt a timeline for attachers to complete the proposed deployment, a 240-day timeline presents a reasonable balance between the need to ensure timely deployments and potential hurdles encountered during the deployment process.[16]

III. CONCLUSION

The Commission has a clear mandate to ensure just, reasonable, and non-discriminatory access to utility infrastructure. While the complexity of pole attachments likely resists a one-size-fits-all solution, setting clear and practical guidance can help meet this mandate. WIA appreciates this opportunity to provide the input of the wireless infrastructure industry and looks forward to working with the Commission to craft commonsense rules and unleash the investment needed to connect every community in the nation.

Respectfully submitted,

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[15] *See* Comments of Extenet at 3-4.

[16] Comments of Incompas at 5; Comments of Crown Castle at 5-6 (providing the kinds of unexpected delays attachers may face including delays from local permitting requirements).

November 18, 2025