



3/7/17

Re: L.D. 406 "An Act To Amend the Law Regarding Joint Use of Certain Utility and Telecommunications Infrastructure"

Chairman Woodsome, Chairman Berry, and Members of the Joint Committee on Energy, Utilities, and Technology, my name is Fletcher Kittredge. I am the Chief Executive Officer of GWI, a Biddeford, Maine based company that provides telecommunications services, including broadband connections, throughout the State of Maine.

In recent years, GWI has put a large portion of its efforts and resources into expanding its fiber optic based network in order to improve the quality and speed of its broadband Internet services in all parts of Maine. The only practical way for carriers like GWI to reach potential users of its services is over the public rights of way owned and controlled by the State and municipalities. For historical reasons, utility poles and underground conduits in those rights of way have been owned and controlled by traditional electric and telephone utilities subject to a general obligation to share the use of those facilities with certain other specified entities. The Public Utilities Commission has been given some limited jurisdiction to intervene when disputes arise between the owners of poles and conduits and those entities over how those facilities are to be shared.

From GWI's perspective, the current system has not been working fairly or efficiently. By agreement among the owners of the poles and conduits, the space allocated for telecommunications on the existing facilities is generally administered by the incumbent telephone companies who compete directly at retail with those of us looking to share the public rights of way with them. Their economic incentive is not to treat us fairly or efficiently. Our experience has convinced us that the process of attaching to poles and sharing conduits in the publicly owned property is much more expensive and slower than it needs to be. Unnecessary delay and expense associated with the process has had a detrimental impact on GWI's and other Internet providers' ability to expand services in an orderly way throughout Maine.

The Public Utilities Commission has had limited ability to do much to rectify these inefficiencies. GWI has attempted in the past to bring complaints to the PUC in

individual cases when we've thought the treatment we've received from the pole owners is particularly unfair. We've learned the hard way that the time and expense of a case-by-case procedure is an ineffective way to get results. L.D. 406 would authorize the Public Utilities Commission to adopt a more comprehensive framework to assure that the whole process from the start is fairer and more efficient. We support L.D. 406 as a positive step to help assure the better use of the public's valuable rights of way.

Fletcher Kittredge

CEO, GWI