



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Tye
- ☐ 4 = Cisneros
- ☐ 5 = Handren
- ☒ All

AGENDA DATE	<i>January 8, 2019</i>
DESCRIPTION	CONSIDER AND ACT ON AMENDMENT TO THE UTILITIES RULES AND REGULATIONS REGARDING THE INSTALLATION OF TELECOM WIRES AND WIRELESS FACILITIES WITHIN OR ABOVE THE SAFETY ZONE ON ELECTRIC POLES.
STAFF'S RECOMMENDED ACTION (be specific)	Approve the addition of rules regarding foreign attachments to City-owned electric distribution poles as presented.
CONTACT PERSON	Michael Mann – Utilities Director
SUMMARY	<p>For many years, the City has allowed telecommunication companies to use electric distribution system poles for co-location of communications infrastructure under joint-use agreements. GVTC, Bandera Electric Coop. (fiber telecom), and Frontier (formerly Verizon) also have some of their own telecommunications poles in City ROW and also attach to City-owned poles. Other companies such as Spectrum (formerly Time-Warner), Fiberlight, KCC, and others are located exclusively on our poles. Telecommunication companies do not generally share lines, so many of our poles have more telecommunication lines on them than electric lines.</p> <p>These arrangements have been generally symbiotic as both the City and the telecommunication companies have enjoyed benefits. The telecommunications companies have less infrastructure to maintain (poles) and the City has less visual and space clutter to manage in our ROW areas. We have been able to charge fees for these attachments based on their actual cost impacts to the electric utility. But, recent changes in State Law to promote telecommunication competition and internet availability have significantly limited our fees.</p> <p>Recently, the State Legislature passed a law requiring the City to allow installation of small cell nodes (cell phone antennas) on all City-owned poles (street light, signal, power, etc.), subject to rules and regulations, and required us to allow even stand-alone installation in City ROW. Despite the name, “small cell” nodes can be rather large. A couple of stand-alone antenna poles have already been permitted and installed.</p> <p>Although no small cell nodes have yet been requested or installed, there is growing concern in the electric industry that these</p>

	<p>installations can be a safety hazard if co-located on primary electric poles. The majority of our exposed primary electric lines carry 7,200 volts. The National Electric Safety Code has some language regarding safe installation of telecommunication facilities near energized electric lines. However, the language in that code, as well as the language in our current utility policy, is vague and does not really address wireless attachments at all.</p> <p>In the interest of public health, safety and welfare and for safe and reliable operation of our electric distribution system, Staff recommends the Council adopt the following language to be inserted into the City of Boerne Utilities Rules and Regulations.</p> <ul style="list-style-type: none"> • No foreign attachments on City owned primary or secondary electric distribution poles shall be made without prior consent of the City per the terms of a valid joint-use agreement with the City. • The top 10 feet of all City owned primary electric distribution poles is reserved Electric Distribution Space for the exclusive use of the City's electric facilities. No wired or wireless contacts by others will be allowed within or above that space. • No telecommunication attachments shall be allowed within 40 inches of energized electric facilities (the telecommunications safety space). • To ensure safety, no telecommunication contacts shall extend vertically into or through the 40 inch telecommunication safety space on City owned primary electric distribution poles. • Foreign attachments shall be made in full and complete compliance with all other applicable requirements of the effective NESC, AASHTO, TxDOT or any other applicable regulatory requirements and per our joint-use agreements.
COST	N/A
SOURCE OF FUNDS	N/A
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.