

115TH CONGRESS
2D SESSION

H. R. 4858

To clarify section 224 of the Communications Act of 1934 as not limiting the ability of a State to adopt a one touch make ready policy for pole attachments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2018

Ms. ESHOO (for herself and Mr. MCKINLEY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To clarify section 224 of the Communications Act of 1934 as not limiting the ability of a State to adopt a one touch make ready policy for pole attachments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clearing Local Impedi-
5 ments Makes Broadband Open to New Competition and
6 Enhancements” or the “CLIMB ONCE Act”.

1 **SEC. 2. STATE ADOPTION OF ONE TOUCH MAKE READY**
2 **POLICY FOR POLE ATTACHMENTS.**

3 (a) CONSTRUCTION.—Nothing in section 224 of the
4 Communications Act of 1934 (47 U.S.C. 224) or the im-
5 plementing rules of the Federal Communications Commis-
6 sion shall be construed to limit the ability of a State to
7 adopt a one touch make ready policy with respect to pole
8 attachments.

9 (b) DEVELOPMENT OF MODEL POLICY.—Not later
10 than 180 days after the date of the enactment of this Act,
11 the Commission shall publish recommendations on best
12 practices, including a model policy, relating to the imple-
13 mentation of a one touch make ready policy by a State.

14 (c) DEFINITIONS.— In this section:

15 (1) COMMISSION.—The term “Commission”
16 means the Federal Communications Commission.

17 (2) ONE TOUCH MAKE READY POLICY.—The
18 term “one touch make ready policy” means, with re-
19 spect to the addition or modification of a pole at-
20 tachment, regulations relating to the activity under-
21 taken in order to prepare the pole, duct, conduit, or
22 right-of-way for the addition of a new attachment in-
23 cluding the ability of an attacher to perform all
24 make ready work in a single trip to the pole and a
25 requirement of the designation by a pole owner or
26 utility of a list of at least two approved contractors

1 for each pole, duct, conduit, or right-of-way to per-
2 form all such activity.

3 (3) POLE ATTACHMENT; STATE; UTILITY.—The
4 terms “pole attachment”, “State”, and “utility”
5 have the meanings given those terms in section
6 224(a) of the Communications Act of 1934 (47
7 U.S.C. 224(a)).

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