

1 A JOINT RESOLUTION facilitating the deployment of broadband internet service
2 in the Commonwealth and declaring an emergency.

3 WHEREAS, access to broadband internet service has become critical for social and
4 economic prosperity because it links the citizens of the Commonwealth to each other and
5 to other parts of the world; and

6 WHEREAS, the lack of access to broadband internet service, which is
7 predominantly a problem in the rural areas of the Commonwealth, places unserved and
8 underserved citizens in those areas at a significant disadvantage; and

9 WHEREAS, the National Telecommunications and Information Administration
10 allocated \$1.1 billion dollars to the Commonwealth in the Broadband Equity, Access, and
11 Deployment (BEAD) Program that will be used to deploy broadband internet service
12 throughout the Commonwealth; and

13 WHEREAS, another \$157 million will be available for network expansion through
14 the Rural Digital Opportunity Fund and state and local programs that will help bring
15 high-speed broadband internet service to every area and every citizen of the
16 Commonwealth, regardless of that citizen's location or household income; and

17 WHEREAS, broadband internet service providers are motivated to begin attaching
18 the necessary fiber optic cables to utility poles throughout the Commonwealth and
19 comply with the funding and performance guidelines set by the BEAD Program and other
20 government initiatives; and

21 WHEREAS, since January 5, 2024, the Public Service Commission has been
22 hosting stakeholder meetings on pole attachment delays; and

23 WHEREAS, every effort must be made by the Public Service Commission to
24 streamline the process and remove unnecessary delays in how attachment requests by
25 broadband service providers are received and processed by the utilities that own the
26 utility poles;

27 NOW, THEREFORE,

1 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

2 ➔Section 1. The General Assembly of the Commonwealth of Kentucky hereby
3 directs the Public Service Commission to promulgate emergency administrative
4 regulations pursuant to KRS Chapter 13A on utility pole attachments not later than 45
5 days after the effective date of this Resolution that shall, at a minimum:

6 (1) Remove any utility pole attachment-related impediments to the deployment of
7 broadband service throughout the Commonwealth;

8 (2) Establish parameters for expediting and processing pole attachment requests
9 for unserved and underserved areas of the Commonwealth in accordance with the BEAD
10 Program, as authorized by the bipartisan Infrastructure Investment and Jobs Act, Pub. L.
11 No. 117-58, and other government initiatives;

12 (3) Reduce the backlog of utility pole attachment requests; and

13 (4) Direct utilities that own poles to file new tariffs to conform with the
14 emergency administrative regulations promulgated by the Public Service Commission no
15 later than 30 days after the effective date of the emergency administrative regulations.

16 ➔Section 2. The Public Service Commission shall initiate a docket on utility pole
17 attachment issues to receive comments from the affected parties and find resolutions that
18 will expedite utility pole attachment requests and the deployment of broadband
19 throughout the Commonwealth. The docket shall remain open until all utility pole
20 attachment requests funded by the BEAD Program, the Rural Digital Opportunity Fund,
21 state grants, and local direct deals are processed and the projects are completed.

22 ➔Section 3. Beginning September 30, 2024, and quarterly thereafter, the Public
23 Service Commission shall issue a report to the Legislative Research Commission for
24 referral to the Interim Joint Committee on Natural Resources and Energy, updating the
25 General Assembly on the progress made in expediting utility pole attachment requests for
26 broadband service.

27 ➔Section 4. Whereas broadband service is critical to the economic prosperity of

- 1 the Commonwealth, and the timetables for broadband projects funded by the BEAD
- 2 Program and other government programs must be adhered to, an emergency is declared to
- 3 exist and this Resolution takes effect upon its passage and approval by the Governor or
- 4 upon its otherwise becoming a law.