

MINUTES OF PUBLIC WORKSHOP OF COMMISSIONERS
OF PUBLIC UTILITY DISTRICT NO. 3
OF MASON COUNTY, WASHINGTON

President Farmer called a WORKSHOP on the proposed Pole Attachment License Agreement and Joint Use Rules and Regulations to order at 10:00 a.m. The workshop was held in the PUD 3 auditorium (Skookum Room) at 2621 E Johns Prairie Road in Shelton, Washington, on Tuesday, May 28, 2019.

District officers present were: Commissioners, Thomas J. Farmer; Linda R. Gott; Bruce E. Jorgenson; Manager Annette Creekpaum; Attorney Robert Johnson; Finance Manager/Treasurer Sherry Speaks; Risk Manager/Auditor Brian Taylor.

The following PUD 3 personnel were present: Director of Business Services John Bennett; Director of Business Operations Michelle Burlison; Communications & Community Relations Coordinator Asia Cline; Engineering Manager Tim DeVries; Operations Crew Coordinator Nick Earsley; Records & Compliance Manager Kristin French; Customer Service Manager Diane Hennessy; Telecommunications & Community Relations Mgr. Justin Holzgrove; Operations Manager Chris Miller; Conservation Manager Koral Miller; Public Information & Govt. Relations Manager Joel Myer; Power Manager Michele Patterson; Asst. Public Information & Govt. Relations Manager Lynn Eaton (recorded minutes).

Members of the public in attendance were: Randy Lewis of Shelton and Dedrick Allen of *Mason Web TV*.

WORKSHOP OVERVIEW

Mr. Holzgrove explained that the workshop is designed to provide the commission with an overview of the pole attachment program and review the proposed documents for the commission to consider for adoption. He reminded the commission that all Licensees received a one-year notification that all contracts would be cancelled effective June 30 and new agreements would need to be in place by July 1, 2019. He noted that the team working on the draft new documents wanted to establish a Joint Use program to administer pole attachments in a non-discriminatory manner, that recognizes a clear process, and defines applicable standards and compliance to ensure safe and reliable operations of the Licensees' facilities as well as the PUD's, and to better serve our mutual customers.

Mr. Johnson explained the purpose of separating the legal agreement in the "Pole Attachment License Agreement" from the standards and processes in the "Joint Use Rules and Regulations" provided for a simplified contract and a program that would mirror the District's electric system's program which includes a "rules and regulations" policy that outlines the use of the electric system. He also shared that the District has had a long process of engaging stakeholders with the first contact referencing a new agreement happening in 2014. He noted that the utility held a Licensee Workshop on May 10, 2019; asked for written comment to be received by May 17, 2019; responded in writing to Licensee written comments/concerns on May 22, 2019; and invited stakeholders to attend the commission workshop on May 28, 2019. He pointed out several items that the District changed in the Pole Attachment License Agreement as well as the Joint Use Rules and Regulations and noted that a redline of these accommodations have been provided to the commissioners. He made reference to the Pacific County court case and explained that the basis of the contract language derived from the contract that was vetted through that case. Finally, he noted that the court case did modify how the Pole Attachment Rate should be calculated and explained that while a change in the rate is not being proposed, the PUD did recalculate its rate based on the formula identified through the Pacific County case and determined that it was still a valid rate. He shared that the rate included in the Rate/Fee Schedule (which is part of the Joint Use Rules and Regulations) should be re-adopted by the commission as recalculated.

Mr. Holzgrove went through several highlights of the various documents.

Mrs. Speaks reiterated Mr. Johnson's comments on the rate, explaining that it has remained at \$22/attachment, billed annually, since 2012 and that the District is not considering a change to that rate at this time. She did share that the new formula as applied to the District's program is still in compliance with the current ruling. She covered the other fees such as the Unauthorized Attachment Inspection Fees at \$110/attachment for one to three immediately adjacent poles and \$220/attachment for four to six immediately adjacent poles and actual costs at the standard billable rate for greater than six poles. Additionally, make-ready work, attachment transfers, pole loading analysis, and removal of unauthorized attachments will all be billed at actual costs with the standard billable rate at the time work is performed. Finally, she noted there will be a \$100.00 fee for failing to maintain an emergency contact.

Mrs. French shared the new application process and tools that were created to clarify the process and timeline for Licensees.

Mr. Holzgrove asked for questions from the commission. After a brief discussion, Mr. Farmer asked for comments from the public.

COMMENTS FROM THE PUBLIC

No public comment was given.

With no further business appearing, the workshop adjourned at 10:48 a.m.

Respectfully submitted,

Lynn Eaton
Assistant Public Information and Government Relations Manager