



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Brown, Carlson, Barofsky, McRae and Schlossberg
FROM: Karen Kelley, Chief Operations Officer, Jaime Breckenridge, Utility Joint Use Specialist
DATE: April 18, 2022
SUBJECT: Rate Adjustment for Joint Use Fees and Charges
OBJECTIVE: Board Action: Resolution No. 2212

Issue

In accordance with Board Resolution 1906, wherein Joint Use Fees and Charges were added to the Customer Service Policy, the Pole Attachment Rate for wireline attachment is re-calculated annually using the Oregon Public Utility Commission (OPUC) rate formula cited in OAR 860-028-0110(2). Schedules are reviewed annually and updated with new labor and equipment rates. Resolution No. 2103 was the 2021 rate adjustment.

Background

Per the Pole Attachment Agreement, the Pole Attachment Rate is effective June 1 – May 31. Current Pole Attachment Rates for 2021-2022 are \$14.69 Compliance Rate and \$16.33 Non-Compliance Rate. Pole Attachment Rates may increase or decrease yearly based on several accounting elements such as pole costs and carrying charges. EWEB charges the permittee the Compliance Rate as required in the OAR 860-028-0230. If the permitting entity does not comply with the Pole Attachment Agreement, OPUC Safety Rules or causes a loss to the utility, EWEB can charge the Non-Compliance Rate.

Discussion

Pursuant to Board action, the re-calculated Pole Attachment Rate will be adjusted on June 1, 2022 for the period of June 1, 2022 through May 31, 2023, to \$13.89 Compliance Rate and \$15.43 Non-Compliance Rate.

There were no changes made to the Fee Schedule for Non-Recurring Charges (from Appendix C of the Pole Attachment Agreement) or to the Wireless Fee Schedule. Current fees are still in alignment with associated costs.

Schedule I – Unit Cost of Transferring Facilities and Average Costs of Various Pole Operations has been updated to reflect updated labor and equipment rates (see attachment).

Recommendation

Management recommends the Board approve Resolution No. 2212 to update Joint Use Fees and Charges found in the following attachment: Customer Service Policy, Appendix B – Electric Service Charges and Prices, Subsection W; Joint Use Fees and Charges.

Requested Board Action

Approve Resolution No. 2212 to update Joint Use Fees and Charges in the Customer Service Policy.

Please contact Jaime Breckenridge at 541-685-7388 or e-mail at jaime.breckenridge@eweb.org with questions.

Attachments:

1. Revised Customer Service Policy, Appendix B – Electric Service Charges and Prices, Subsection W; Joint Use Fees and Charges



W. Joint Use Fees and Charges

(Resolution No. ~~2212-2407~~)

The following are fees and charges for joint use wireline, equipment related to wireline, antennae and equipment related to antenna attachments. This information is excerpted from the Pole Attachment Agreement.

For wireline and related equipment, the following are applicable:

- 1. Terms and Conditions (#13 and #14 from Appendix A of the Pole Attachment Agreement)

- 13. As compensation for the use of space on Permitter’s Poles on each Structure, Permittee shall pay to Permitter, at the beginning of each Contract Year of the Agreement, the following amounts for Permittee’s attachments to Permitter’s Poles:

Rate per Cable attachment x number of Cable attachments
 Rate per Equipment attachment x number of Equipment attachments

- 14. The rates for attachments will be recomputed annually using the formula that follows:

- 14.1. Cable Attached to Permitter’s Poles:

$$\text{Pole Rate} = \frac{\text{Space Occupied by Cable} \times \text{Net Investment in Poles} \times \text{Carrying Charge}}{\text{Total Usable Space} \times \text{Number of Poles}}$$

- 14.2. Equipment Attached to Permitter’s Poles:

Equipment Rate = 2 x Pole Rate

June 1, 202~~1~~ – May 31, 202~~3~~

Noncompliance Rate	\$1 56.4 33
Compliance Rate	\$1 34.8 69

- 2. Fee Schedule for Non-Recurring Charges (from Appendix C of the Pole Attachment Agreement)

- a. Application Processing Fee



(Electronically or Written)

\$25.00 first pole; + \$2.00 per pole thereafter

b. Inspections

In instances where Permitior has sufficient electronic Pole Attachment data existing in its system of record, Permitior may elect to perform a desktop Inspection, which is defined as an Inspection performed using only existing electronic data, maps and pictures. There are no Inspection fees associated with a desktop Inspection.

In instances where Permitior does not have sufficient electronic data to perform a desktop Inspection or the desktop Inspection results in findings that require a field visit, the following Inspection fees apply:

- i. Pre-Construction Inspection Fees – these fees are based upon Applications by various entities that wish to attach a cable, or other device, to Permitior’s Facilities and also occurs prior to when a Permittee wishes to place new cables and/or additional equipment. All Pre-Construction and Post-Construction Inspections are broken into three levels of time usage and complexity.

Level 1 (Visual Inspection)

\$40.00 first pole; \$5.00 each pole thereafter

Level 1 Inspections are defined as a “drive by” that does not require the inspector to exit the vehicle and are intended to identify that clearances and strength of the structure are visibly verifiable. These Inspections are typically performed when the Permittee has provided all required information given the type of request on the Application form.

Level 2 (Measured Inspection)

\$50.00 first pole; \$10.00 each pole thereafter

Level 2 Inspections are most commonly performed when the poles do not appear to have proper clearance to accommodate the newly proposed Attachment or when the Permittee has failed to provide all required information given the type of request on the Application



form. Under these conditions the Permittor deems it prudent to obtain measurements and other data at the Structure or along the line.

Level 3 (Pole Analysis Inspection)

\$175.00 first pole; \$30.00 each pole thereafter

Level 3 Inspections are most commonly performed when the poles do not appear to have proper strength to accommodate the newly proposed Attachment or when the Permittee has failed to provide all required information given the type of request on the Application form.

Permittor will not charge Pre-Construction Inspection Fees for an Application to remove Attachments.

- ii. Post-Construction Inspection Fees – these Inspections are completed after a Pre-Construction Inspection has been approved, and the installation by the original requesting company has been completed.

Level 4 (Visual Inspection)

\$40.00 first pole; \$5.00 each pole thereafter

Level 4 Inspections are defined as a “drive by” that does not require the inspector to exit the vehicle and are intended to identify that the Permittee has complied with the engineering data provided in the Application form. This level of Inspection will be used for all removals of Attachments, unless the removal has resulted in damage to the pole in which case additional fees to assess the damage may apply.

Level 5 (Measured Inspection)

\$50.00 first pole; \$10.00 each pole thereafter

Level 5 Inspections are most commonly performed when it appears that the Permittee has failed to perform construction in accordance with the specifications on their Application form, has created a NESC violation or has attached to the pole prior to receiving approval from Permittor.

Level 6 (Pole Analysis Inspection)



\$175.00 first pole; \$30.00 each pole thereafter

Level 6 Inspections are most commonly performed when it appears that the Permittee has attached to a pole prior to receiving approval from Permitter and appears to have compromised the integrity of the existing structure.

- c. Unauthorized Attachment Fee - 5 x annual rental fee*

*Over 60 days without permit application - Additional \$100.00 + 5 x annual rental fee (recurring every 60 days)

- d. Anchor Attachment Fee - \$145.00

- e. Failure to Timely Transfer, Abandon or Remove Facilities Fee

First 30 days - 1/5 Annual Attachment Fee per day, per pole

Second 30 days and thereafter - Annual Attachment Fee per day, per pole

- f. Topping Pole – Refer to Schedule I

- g. Transfers – Refer to Schedule I

3. Schedule I – Unit Cost of Transferring Facilities and Average Costs of Various Pole Operations

	Crossarms, all types	\$ 2019 1.00
	Anchor Strand or Overhead Guy	\$ 2019 1.00
	Sidewalk Anchor Guy and Pipe	\$ 3977 6.00
	*Drop wire (No Splicing)	\$ 640 .00
	*Service Conduit	\$ 1332 5.00
	*Messenger and Cable Bolted to Pole or Cable Arm (No Splicing)	\$ 2493 6.00
	*Messenger Deadends	\$ 1857 6.00
	*Cable Riser (Including Pipe and Moulding – No Splicing)	\$ 4977 2.00
	*Cable Terminations (No Splicing)	\$ 2655 1.00



Lowering Pole to Ground	\$ 42302 .00
Hauling Pole to Yard	\$ 505484 .00
Topping Pole	\$ 15346 .00

*Cost for temporary transfers shall be billed at 50% of the above rate.

NOTE: Costs for transferring Facilities not covered by this Schedule will be negotiated in each instance.

For antennae and related equipment, the following are applicable:

A. Wireless Fee Schedule
06/27/2018*

Macro Application Fee - \$2,000.00.

This fee covers the pre-site review, review of all required documents (antenna specs & build, pole load analysis, RF analysis, etc.), pre-construction meeting, post construction inspection, and project management associated to the site(s). It does not include the cost of design and the make-ready work. That is in addition to the application fee.

Small Cell or DAS (Distributed Antenna System) Application Fee - \$1,000.00.

This fee covers the pre-site review, review of all required documents (antenna specs & build, pole load analysis, RF analysis, etc.), pre-construction meeting, post construction inspection, and project management associated to the site(s). It does not include the cost of design and the make-ready work. That is in addition to the application fee.

Small Cell or DAS Pole Lease Fee -

Pole Top - \$1,800.00 per year.

This is for the antenna and a small amount of equipment (per standard) to be mounted on pole.

Mid-Pole – rate is determined by the pole attachment rental rate (OAR 860-028-0110[2]) multiplied by the Lessee’s authorized attachment space. These costs are recalculated annually. See SLA (Site Lease Agreement) for billing schedules.

**RESOLUTION NO. 2212
MAY 2022**

**EUGENE WATER & ELECTRIC BOARD
ANNUAL PRICE ADJUSTMENT FOR JOINT USE CHARGES AND FEES**

WHEREAS, the Eugene Water & Electric Board (EWEB) is obligated, as much as practical, to allow any entity requiring pole attachments to serve customers, use of utility poles based on Oregon Administrative Rules (860-028-0050) and City ordinances; and

WHEREAS, EWEB has Pole Attachment Agreements, Master Lease Agreements and Site Lease Agreements executed with attaching entities that ensure attachments comply with EWEB operational need and standards, State and Local Jurisdictions rules and ordinances; and

WHEREAS, EWEB has Joint Use Charges and Fees for attachment to EWEB facilities and related activities; and

WHEREAS, the Board of Commissioners has reviewed the updated Joint Use charges and fees.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the General Manager to adjust joint use charges and fees, effective June 1, 2022, and reflect those prices in updated Customer Service Policy as recommended and approved at the May 3, 2022 board meeting.

DATED this 3rd day of May 2022.

THE CITY OF EUGENE, OREGON
Acting by and through the
Eugene Water & Electric Board

President

I, ANNE M. KAH the duly appointed, qualified, and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Board at its May 3, 2022 Board Meeting.

Assistant Secretary