

RESOLUTION NO. 1436

**A RESOLUTION REVISING THE
EXISTING POLE ATTACHMENT RATE POLICY**

WHEREAS, RCW 54.04.045 allows a locally regulated utility, such as Public Utility District No. 2 of Pacific County, to set rates charged to other entities for attachment of their wire, cable, or other communications equipment to poles owned by the District; and

WHEREAS, Public Utility District No. 2 of Pacific County entered into a Pole Attachment License Agreement with its Licensees in October of 2019 agreeing that the District grants a revocable, nonexclusive license authorizing Licensees to install and maintain permitted Attachments to District poles; and

WHEREAS, the Board of Commissioners has confirmed and reaffirmed that the formula used to calculate the pole attachment rate has been and remains consistent with, and below, the maximum permissible rate under RCW 54.04.045 as amended, pursuant to the Washington State Court of Appeals decision; and

NOW THEREFORE BE IT HEREBY RESOLVED that District's pole attachment rate is to be calculated yearly using the statutory formula on or about June 1, using the previous year's pole, attachment, and financial data.

BE IT FURTHER RESOLVED that pursuant to the Pole Attachment License Agreement, the District shall provide six months' notice to all pole contact licensees before the new calculated yearly pole contact rate will become effective on January 1st of the following year.

BE IT FURTHER RESOLVED that all previous resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

APPROVED AND ADOPTED by the Board of Commissioners of Public Utility District No. 2 of Pacific County, Washington, this 16th day of March 2021.



President

A T T E S T:



Vice President



Secretary