



Georgia Department of Transportation

Modernization of Right of Way Use Fees

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47 U.S.C. Telecommunications

- **Telecom Act of 1934 – FCC created**
 - Telephone and radio connections nationwide
 - American Telephone and Telegraph Company
- **Telecom Act of 1996 – Internet**
 - Deregulation - Competition – “Telecom (Fiber) Boom”
 - Preemption of Local authority
 - “Require fair and reasonable compensation from telecommunications providers”
- **2018 – Accelerating Wireless Broadband Deployment**
 - Establishes “shot clocks” for permitting
 - Presumably reasonable fees/rates



U.S. Telecommunications Act of 1996



encourage deployment of advanced telecom capabilities, including broadband to all Americans
Goal: “intramodal” competition – voice over circuit switched net, local/long distance



emerging “intermodal” competition –
wireless vs wireline
VoIP vs wireline and wireless
IPTV vs cable TV

growth in broadband Internet
access to U.S. homes



Recent Georgia Legislation

SR 876 [2016]

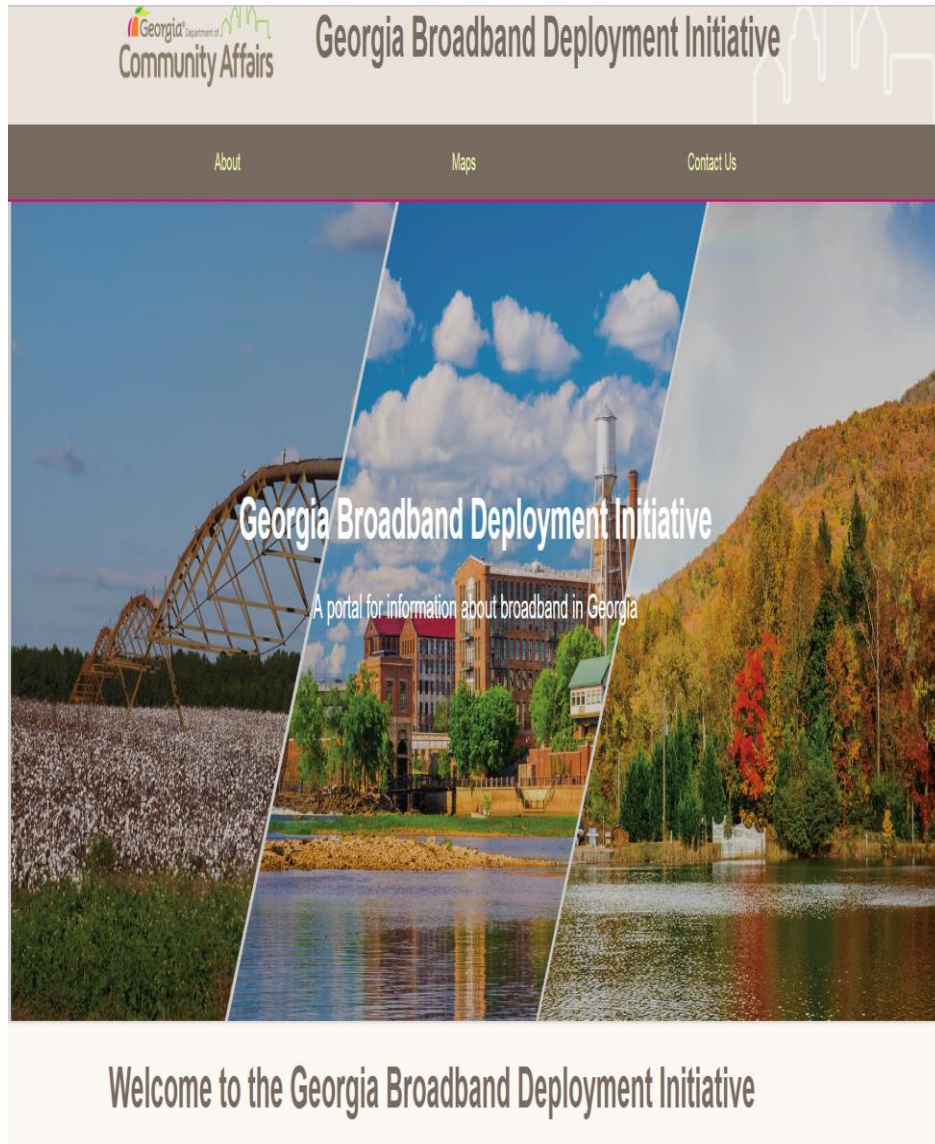
- Committee on High Speed Broadband Access Explore how GDOT can lease excess fiber
 - Require GDOT to open right of way for conduits and fiber on rural roads

SR 1019 [2018]

- Committee on State and Local Government Right of Way Policy Modernization
 - Encourage GDOT to review current fee structure

SB 402 [2018]

- Achieving Connectivity Everywhere (ACE) Act
 - Statewide Broadband Deployment along Interstate



Chapter 672-11

Maintenance, Relocation, etc. of Facilities of Public Utilities

672-11-.01 Definitions

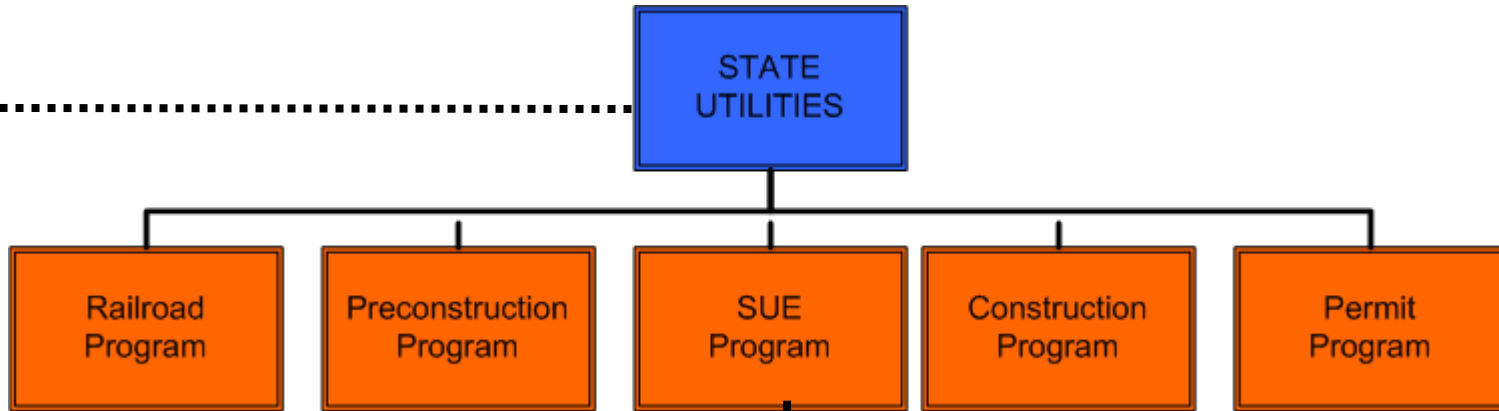
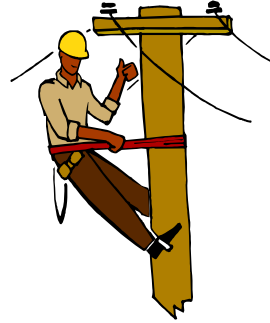
672-11-.02 Long Distance and Trunk Communications Cables, Issuance of Permits

672-11-.03 Long Distance and Trunk Communications Cables; Permit Fee Schedule

672-11-.04 Alternate Procedure for Assessing Fees

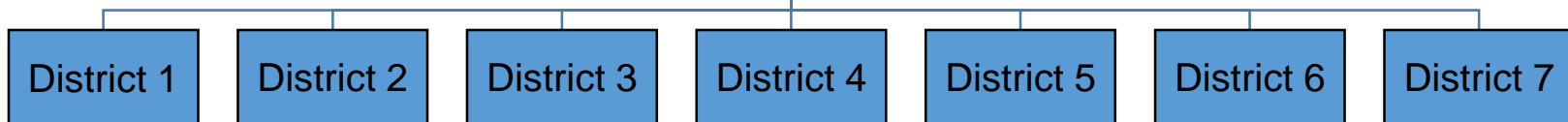


STATE & DISTRICT UTILITIES OFFICES



Utility
Coordination
Consultants

DISTRICT UTILITIES



GDOT Office of Utilities

- **Statewide Permit Program**
 - ~11,000 reviewed annually
 - Over 6,700 approved annually
 - **5-day average turnaround**
- **GA Utility Permitting System (GUPS)**
 - Account management for over 4,800 users and members
 - 100% paperless

DIVISION OF OPERATIONS

OFFICE OF UTILITIES



Utility Accommodation Policy and Standards

2016



GDOT Office of Utilities

Active Utility Project Management

- 1,700+ active projects
- Provides 1 of 3 Certifications
 - Required for funding on all GDOT Projects
- SUE Program
 - Utilization on ~70% of GDOT projects
- Utility-Contractor dispute resolution
 - Escalation, Mediation and Conflict Resolution (Board Rule 672-19)

DIVISION OF OPERATIONS

OFFICE OF UTILITIES

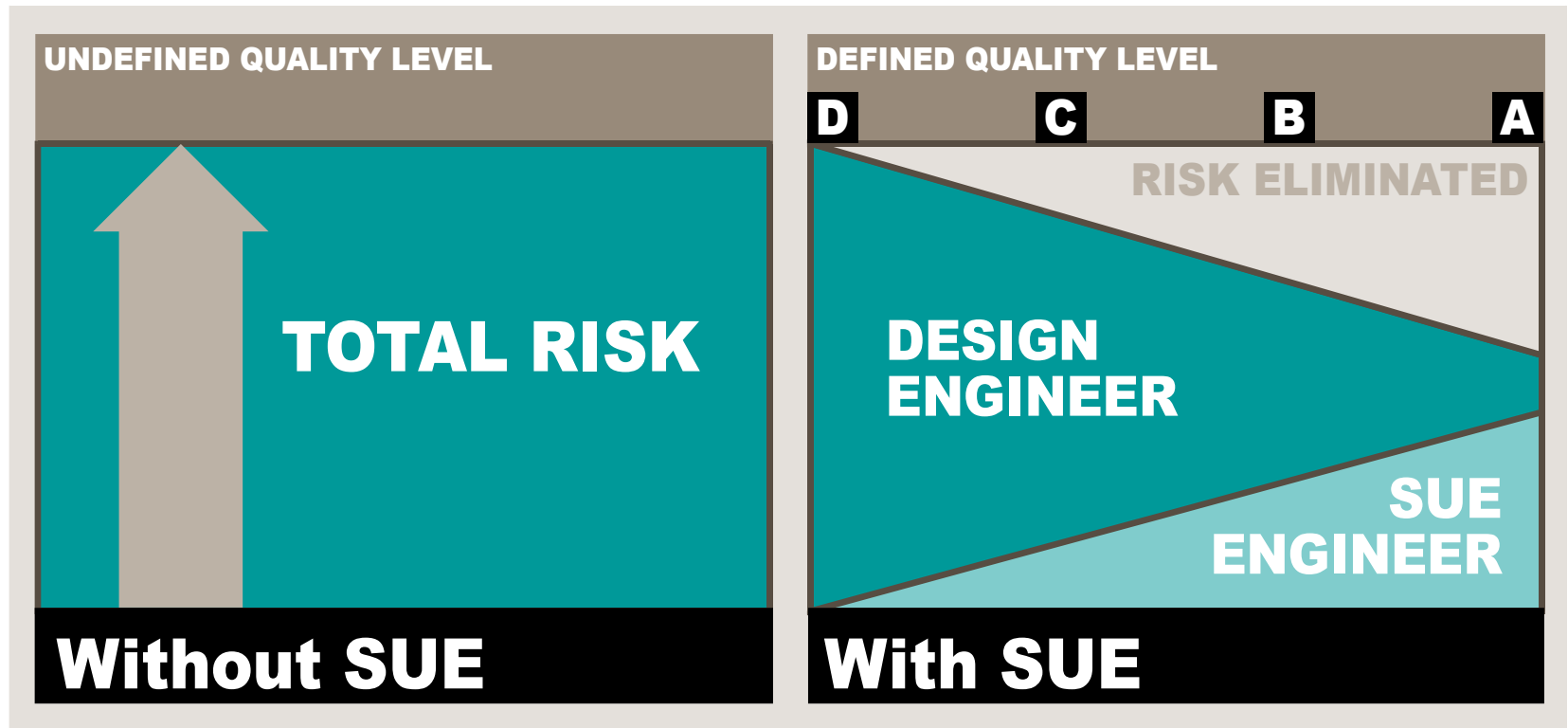


Utility Accommodation Policy and Standards

2016



SUBSURFACE/OVERHEAD UTILITY ENGINEERING (SUE)



Nationally \$4.62 saved to every \$1 spent
Locally \$25 saved to \$1 spent

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Utility Accommodation

- Direct benefit: access to public ROW - no easements to purchase
- Indirect benefit: access to services and work performed by Utility Office staff (i.e. SUE/Utility Coordination)
- Technology changes accommodated within the legacy fee structure
 - Telephone - Cable – Backhaul - Wireless



Next Steps

- Multi-pronged examination ROW Use Fees
 - Technological Advancements
 - Fee Structure
 - Facilities Per Mile
 - Per Permit
 - Formula based with Indexing
 - Operational Costs
 - Land Values
 - Assessment of National Research
- Present Findings and Recommendations Spring 2019

