

Co-location of cellular antennas (5G) on EWEB utility poles

This document consists of three tactical components: Email response to customers, key messages for Customer Service Analysts and responses to news media.

Email response:

Good morning (customer name),

Thank you for your thoughts regarding cell phone tower installations.

EWEB does not own or install cellular phone towers, or any other cellular phone receive/transmitting facilities. However, EWEB is required by city and state rules, in addition to federal law ([Federal Telecommunications Act of 1996](#)), to accommodate requests for co-location of antennas on our structures and right of ways as long as those requests meet our electrical safety, engineering and siting requirements. In most of EWEB's service territory, the City of Eugene issues permits for telecommunications facilities.

There have been recent rulings from the Federal Communications Commission (FCC) regarding the future installations of cellular technology on municipal facilities, such as electric utility poles. These changes take effect in 2019 and we are monitoring those updates closely to ensure we remain compliant with the new laws. The most recent FCC ruling from 2015 has been challenged in court, and federal laws have been introduced limiting the FCC's authority.

We are also closely following legislation that could adversely impact local public power utilities' control over pole attachments. In December, EWEB commissioners adopted a resolution which provides that EWEB supports legislation which generally preserves and enhances local control. Additional information pertaining to the position EWEB staff will take in the upcoming legislative session can be found in the December 4th [memo to the board and resolution 1827](#).

EWEB values public safety and has created internal design and engineering standards, which ensure that co-locations are installed to National Electrical Safety Code (NESC) and do not compromise electric system or worker safety. For further discussions regarding the siting, installations and safety of cellular technology, please contact the cellular provider.

Sincerely,

Key messages: Co-location of cellular antennas on EWEB utility poles

EWEB is required by City of Eugene telecommunication ordinances, state rules, in addition to federal law, to accommodate requests for co-location of telecommunications facilities (cable, telephone, antennas) if those requests meet our safety, engineering and siting requirements

The Federal Telecommunications Act of 1996 obligates cities and utilities to accommodate telecom facilities in their jurisdictions.

While local governments retain the authority to regulate the location, design and construction of the facilities, they cannot discriminate or create unreasonable barriers to entry for telecom facilities (whether cable with Comcast, telephone lines with Century Link, or cellular antenna with AT&T, for example.).

The City of Eugene must issue a right of way permit to allow for the installation of these facilities.

The Telecommunications Act explicitly prohibits local jurisdictions from regulating radio frequency emissions. So long as the co-location requests meet safety, engineering and siting requirements, EWEB cannot refuse to accommodate. The Federal Communications Commission regulates radio frequency.

Customers with questions or concerns should contact the telecommunications company or the FCC.

Background

EWEB on a regular basis receives inquiries from cellular phone providers, agents and telecom infrastructure companies regarding the potential co-location of cellular antennas on the utility's power poles. Co-location of telecom infrastructure on existing utility facilities is a standard practice nationwide.

After studying the proposed locations, an internal EWEB committee will identify viable poles in these locations that meet our safety, engineering and siting requirements.

Due to these siting, engineering and safety standards that EWEB adopted in 2014, not all poles meet the criteria established for cellular co-location (poles for consideration must be able to easily isolate to minimize electric service interruptions, must be reachable by truck, cannot be in a public utility easement crossing private property, etc.).

Response for news media:

The City of Eugene that issues permits for co-location of telecommunication facilities in public rights of way, whether the co-location pole is owned by EWEB, the city or another entity. Media should contact the city for more information regarding that permitting process.

EWEB is required by City of Eugene telecommunication ordinances, state rules, in addition to federal law, to accommodate requests for co-location of telecommunications facilities (cable, telephone, antennae) if those requests meet our safety, engineering and siting requirements. If those requests meet our standards, we approve the request, then the requestor must obtain a city permit.

The Federal Telecommunications Act of 1996 obligates cities and utilities to accommodate telecom facilities in their jurisdictions. [Federal Telecommunications Act of 1996](#).

While local governments retain the authority to regulate the location, design and construction of the facilities, they cannot discriminate or create unreasonable barriers to entry for telecom facilities (whether cable with Comcast, telephone lines with CenturyLink, or cellular antennae with AT&T, for example.).

The Telecommunications Act explicitly prohibits local jurisdictions from regulating radio frequency emissions. So long as the co-location requests meet safety, engineering and siting requirements, EWEB cannot refuse to accommodate. The Federal Communications Commission regulates radio frequency.

EWEB values public safety and has created internal design and engineering standards, which ensure that co-locations are installed to National Electrical Safety Code (NESC) and do not compromise electric system or worker safety. For information regarding the siting, permitting, installations and safety of cellular technology, please contact the city, the FCC or the various cellular providers.

Further, EWEB places a high value on local community sovereignty to make these types of decisions. In the views of our elected commissioners and our executive management, the FCC and the federal government have exceeded their authority by preempting local decision-making on this issue.

Finally, EWEB does not own or install cellular phone towers, or any other cellular phone receive/transmitting facilities.