



Draft ACCG Policy Position

**Broadband Connected Georgia**

ACCG Broadband Study Committee

August 3, 2017

Georgia's county commissioners recognize the critical importance of, and fully support, expanding affordable broadband access throughout the state to enhance citizens' quality of life, foster economic development, and make their communities more vibrant and competitive. Toward this end counties statewide continue to partner with the telecommunications industry to facilitate market-based solutions to enhance high quality service, including the accommodation of towers, structures and equipment in the public's right-of-way (ROW), to address their respective community's needs.

The General Assembly and State of Georgia could greatly enhance and guide these county efforts by:

- Formulating, with input from various stakeholders, a model broadband ROW permitting ordinance or master agreement for counties to consider, tweak and voluntarily adopt;
- Providing incentives for counties to adopt the above ordinance, then officially recognizing them with a "Georgia Broadband Ready Community" designation;
- Recognizing broadband providers, in turn, for partnering with local governments and delivering improved access at affordable rates;
- Allowing counties to condition other utilities' access to their ROW on their allowing broadband providers access to their poles;
- Providing additional tools and incentives to facilitate the collocation of broadband equipment on existing poles in the local ROW;
- Granting local governments the authority to provide sales (via a telecommunications excise tax) and property tax incentives to expand access in their communities;
- Providing state tax incentives to expand broadband access in rural areas;
- Helping ensure that any local or state tax incentives are applied toward providing service only where it is needed. Additionally, to ensure the public's return on their investment, developing a mechanism to measure whether these incentives are successful in expanding coverage;
- Establishing a state broadband office to offer financial assistance and administrative coordination to communities in need of expanded coverage. This office could also assess a county's obstacles that inhibit broadband expansion, recommending changes;
- Continuing to foster a competitive broadband marketplace among all telecommunications providers, large or small, incumbent or upstart;



- Encouraging local governments to partner with private providers on investing in broadband infrastructure;
- Ensuring that local governments are held harmless and indemnified against any claim of liability or loss from personal injury or property damage resulting from others' poles or equipment in the ROW; and
- Establishing timelines by which broadband and other utility equipment located in local ROW must be moved or relocated, at provider expense, during road widening or other public projects, and by which any abandoned equipment in the ROW must be removed.

While counties continue to partner with the state and telecommunications providers in fostering a broadband-connected Georgia, ACCG has great concerns with any statewide preemption dictating accessibility to, and management of, their public's ROW. Elected county officials must properly and consistently maintain their ability to carefully balance this access with their charge to protect public safety by:

- Reducing the hazard of poles in high-crash and high-risk areas;
- Ensuring traffic signal poles remain clear of obstacles impacting their accessibility and operation;
- Preserving emergency radio transmissions;
- Effectively and efficiently meeting federal/state environmental and road requirements;
- Overseeing the timeliness of utility relocation during county road maintenance or expansion projects;
- Finding remedies to address improperly installed utilities or competing utility needs;
- Addressing the public's aesthetic and land use demands to maintain private property values; and
- Ensuring that taxpayers are not subsidizing the ROW permitting and management processes or any road, sidewalk or other damage caused by others' utilities in the ROW.