



RESOLUTION NO. _____

BOARD LETTER APPROVAL


David W. Hanson (Aug 27, 2024 13:18 PDT)

DAVID W. HANSON
Senior Assistant General Manager
Power System


Aram Benyamin (Aug 27, 2024 13:24 PDT)

ARAM BENYAMIN
Chief Operating Officer



JANISSE QUIÑONES
Chief Executive Officer and Chief Engineer

DATE: August 26, 2024

SUBJECT: Pole Attachment License Agreement Between LADWP and Stimulus Technologies of California, LLC, No. PD-2947

SUMMARY

Stimulus Technologies of California, LLC (Stimulus Technologies) requested to attach their cables to LADWP poles. Before such attachments are allowed, an executed Agreement is required. The execution of this Agreement will allow Stimulus Technologies to attach its cables to LADWP poles.

This Agreement is consistent with the Board of Water and Power Commissioners (Board)-approved standard template Pole Attachment License (PAL) Agreement. The term of this Agreement is ten years in accordance with the Los Angeles Administrative Code (LAAC) Section 23.142.

Pursuant to LAAC Section 23.142, all PAL agreements are subject to Board approval regardless of the number of attachments being requested.

City Council approval is not required.

RECOMMENDATION

It is recommended that the Board adopt the attached Resolution authorizing the execution of PAL Agreement No. PD-2947 with Stimulus Technologies (Agreement).

ALTERNATIVES CONSIDERED

No alternatives were considered. Assembly Bill 1027 (AB 1027) requires that local publicly owned electric utilities provide open access on their utility poles to cable television corporations, video service providers, and telephone corporations.

FINANCIAL INFORMATION

There is no cost to LADWP for this Agreement. In accordance with AB1027, LADWP will charge an annual pole attachment fee of \$33.52 for Calendar Year 2020; \$34.19 for Calendar Year 2021; \$34.87 for Calendar Year 2022; \$35.57 for Calendar Year 2023; \$36.28 for Calendar Year 2024; \$37.01 for Calendar Year 2025 and \$37.75 for Calendar Year 2026. These fees were approved by the Board pursuant to Resolution No. 013 079. Prior to 2026, LADWP shall set the annual fees for pole attachments for Calendar Years 2027 through 3034 in accordance with applicable laws and regulations, and update Appendix B accordingly.

Stimulus Technologies has indicated that they plan to attach 10 pole attachments. This will provide annual revenue of \$120.93 for Calendar Year 2024; \$370.10 for Calendar Year 2025 and \$377.50 for Calendar Year 2026. In accordance with AB 1027, annual pole attachment fees are based upon the LADWP's annual cost of ownership for the usable space on its poles.

BACKGROUND

There are several industries that utilize poles to distribute their services (electric, telephone, television cable, etc.). It is necessary to share poles to minimize cluttering to City of Los Angeles streets with multiple rows of poles. It is also more cost effective to attach to an existing pole in lieu of a company constructing their own pole.

In compliance with AB1027, LADWP must permit open access for pole attachments. LADWP has a policy of equal and open access for pole attachments. Any entity, meeting all the insurance and performance security requirements set forth in the Agreement, requesting to attach their cables onto LADWP-owned poles that do not jeopardize the integrity of LADWP's power system is granted access on a space available basis.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), it has been determined that the award of a Pole Attachment License Agreement is categorically exempt pursuant to Class 1(b) as described in CEQA Guidelines Section 15301. This exemption applies to the operation, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities used to provide electric power, natural gas, or other public utility services involving negligible or no expansion of an existing use.

CITY ATTORNEY

The Office of the City Attorney reviewed and approved the Agreement and Resolution as to form and legality.

ATTACHMENTS

- Resolution
- Agreement