

Oregon Joint Use Association
Board of Directors
Emerald PUD – Springfield
Thursday, June 17, 2010

President Gary Lee called the meeting was called to order at 10:04 a.m. A quorum was present:

Board Members Present

Gary Lee, Charter Communications,
President
Stuart Sloan, Consumers Power,
Vice President
Diana Winchester, Qwest, Treasurer
Craig Andrus, Emerald PUD
Kevin O'Connor, Time Warner*
Richard Gray, City of Portland
Jeff Kent, PacifiCorp
Kevin O'Connor, Time Warner*
Scott Wheeler, Comcast

*via conference

Board Members Absent/Excused

Doug Morten, City of St. Helens
Bill Tierney, PGE
David Wildman, Monmouth Power

Guests:

Tamara Johnson, Springfield Utility Board
Sanjeev King, Springfield Utility Board
Linda Spurgeon, Coos Curry PUD
J.R. Gonzalez, Oregon PUD

Staff:

Genoa Ingram
Mary Tucker

President's Comments President Gary Lee recapped recent events, noting that it was turning out to be an active year. The Standards Committee continues to be busy, the Conflict Resolution Committee had received a request for opinion, responsibility for planning for the Annual Meeting has been transferred from the P&E Committee to the Executive Committee and the FCC had published an intent for rulemaking relating to broadband.

Minutes The minutes of the March 18, 2010 Board meeting were approved as amended.

Treasurer's Report Treasurer Diana Winchester provided the current checking balance, noting it currently represented a 43 percent increase; however, Chris Brooks has not yet been paid. The amount due is roughly \$10,000, which will bring the balance in line with last year. There are still \$3,200 in open invoice for Spring Training. The Sheraton has been paid and those details appear under Event Expenses. Registration for Spring Training increased by 6 percent while sponsorships increased by 100 percent. Membership has increased by approximately 8 percent. Only one large member (Verizon) has not paid due to transition. All others are in the association and small categories. Total expenses for the year equal a 17 percent decrease.

The Board discussed the 2010 Annual Meeting, including costs associated with the RiverHouse, as opposed to other venues. The OJUA is considering ways to increase exposure for sponsors during the Annual Meeting.

OPUC Report

FCC Docket J.R. Gonzalez, OPUC Safety Staff, brought Board members up to date on the FCC docket. J.R. reported that last year the FCC had requested comments for the notice of proposed rulemaking to bring pole attachment rules to have a single rate and complete access, and boxing the poles. The OPUC had presented the OPUC safety rules which were formulated with the OJUA's input and the FCC took notice of that work product. Last month the Commission met and decided to include wireless with the pole attachment provisions, which represents a significant change. J.R. reported that wireless providers had requested to become licensees in order to have complete access. The FCC had formed a committee to consider whether wireless should be included and recommended that it should.

The question the FCC is posing is "should Oregon's pole attachment rules be adopted as a national standard?" J.R. noted that the rulemaking does not represent a significant change in Oregon; however, he added, Oregon has a gap in its rules in that wireless was not addressed. The chair of the Oregon PUC is waiting for J.R. to meet with interested parties regarding how the parties feel about pursuing wireless attachment rules for Oregon and make a recommendation. He plans to meet with Richard Busch, President of the NW Wireless Association in Seattle and others before making that recommendation. There was discussion regarding if inclusion of wireless would be an adversarial process since it would bring additional competition. J.R. responded that Oregon was ahead of the game in that OJUA's members were already working in a collaborative manner and that, regardless, the wireless issue was a certainty.

Staff Changes J.R. also reported on changes in staff duties within the PUC. He reported that Jerry Murray's duties had shifted to reliability and security, and would be working with FERC and NERC on power distribution and reliability. Gary Putnam and John Wallace will continue with field auditing. The newest staff person, Paul Birkeland, came from 32 years of experience with PacifiCorp. His role will be to work directly with the OJUA on pole attachment issues. Additionally, if companies defer violations, they must have a plan of correction. Paul will be collecting data to work toward resolution on those issues, whether standardizing information or whatever is needed. Paul will also be the new liaison to the OJUA.

Stuart Sloan asked J.R.'s opinion on FCC's proposal regarding inventory of poles. J.R. reported that Paul will be working on that. A new engineer was also hired during the previous week and would be working on a comprehensive energy plan for the state.

Motion: Moved by Andrus and seconded by Kent that the OJUA refrain from commenting on the FCC rulemaking Motion passed.

**Committee
Updates**

Publicity and Education Chair Sloan reported that Dave Marne had been invited to speak at the 2011 Spring Training event. The Committee was engaged in a campaign to encourage member companies to submit photographs of their poles and equipment, the goal being to have enough to do a five-year rotation. Chair Sloan also reminded the Board that there would be a change in the Chairs coming up in 2012.

Conflict Resolution Chair Kent reported on recent opinion issued in the matter of Monroe Telephone/CPI. There was discussion regarding the process, particularly whether the service should be available to non-members. Mark Beaudry suggested a policy to address fees for members versus non-members; specifically that non-members should be charged substantially more. \$500 was discussed.

Director Sloan asked for clarification of membership of subsidiaries. He hoped that the OJUA would continue to encourage individual memberships as opposed to blanket memberships for entities belonging to statewide organizations.

Chair Kent noted that one of the issues with the Conflict Resolution process is that the only “official” document is the final option. Readers do not have the benefit of the background that the Committee sees. He suggested that this could be addressed by adding a paragraph summarizing the issue (i.e. what lead to the dispute).

Director Sloan recommended that if a party does not participate in the process and does not cooperate, the process should cease. He also addressed distribution of the opinion, which had been distributed to the parties involved, the Committee and the OPUC staff. However, the response to the opinion from CPI had not been distributed. President Lee offered that during the process in which his company was a party, a debriefing was held. Director Beaudry agreed that comments from the parties would be helpful in modifying committee procedures. Chair Kent will call a meeting to address issues and suggestions.

Standards Committee Committee Chair Tamara Johnson that Wednesday’s meeting had been cancelled since the letter to IEEE seeking clarification of climbing through space (boxing the pole) had already been sent by the PUC. (EXHIBIT A). The Committee felt it would be redundant to submit a second request, preferring to await the response to John Wallace’s letter. At that point, the Committee might forward clarifying questions. The Committee will also be reviewing application permits in an attempt to standardize those permits. She asked Board members to forward their permits to staff. The next

meeting is Wednesday, July 21 at 10:00 a.m. in Salem. Chair Johnson noted that the meeting had also been cancelled, in part, due to her recent injury.

The Board discussed the Field Reference card produced and distributed by the Standards Committee and available on the OJUA web site. Director Wheeler raised the question of the 11.6 exception contained in the note panel, suggesting that language referring to the 11.6 exception be deleted. Board members asked if a PDF or “locked” version could be placed on the website which would prohibit tampering with the document. Staff reported that the website version was in PDF format. Board members discussed the possibility of adding disclaimer language or requesting that the document not be altered except for addition of company comments to the “notes” section. Board members discussed protection of the OJUA against liability for alteration of the Field Reference card.

Executive Committee Chair Sloan provided a brief overview. The Board discussed “Associate” membership as opposed to “Association” membership. Staff was asked to add “membership benefits” to the next Executive Committee agenda.

Legislative Committee Chair Gray asked for clarification of the expectations of the Board with regard to the issue recently assigned to the Committee relating to building too close to power lines.

Regional Meetings Director Kent confirmed that staff had forwarded the WEI flyer to the OJUA contact list.

Next Meeting The next meeting of the OJUA Board of Directors is scheduled for Thursday, September 16, 10:00 a.m. Staff will locate a facility.

Adjourn There being no further business, the meeting was adjourned at 12:17 p.m.