



Orange and Rockland Utilities, Inc.
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September 26, 2019

Honorable Kathleen H. Burgess
Secretary
New York State
Public Service Commission
Three Empire State Plaza, 19th Floor
Albany, New York 12223-1350

Re: Case No. 16-M-0330, Petition of CTIA – The
Wireless Association to Initiate a Proceeding to
Update and Clarify Wireless Pole Attachment
Protections

Dear Secretary Burgess:

Orange and Rockland Utilities, Inc. ("O&R" or the "Company") hereby submits for filing with the Public Service Commission (the "Commission") the following tariff leaves proposing revisions to its Schedule for Electric Service P.S.C. No. 3 – ELECTRICITY (the "Tariff").

2nd	Revised Leaf No.	140
2nd	Revised Leaf No.	141

These tariff leaves are issued September 26, 2019, to become effective October 1, 2019.

Reason for Filing

This filing is made pursuant to the Commission's Order Allowing Wireless Pole Attachment Rates to Go Into Effect On a Temporary Basis (the "Order"), issued and effective September 20, 2019 in the above-referenced proceeding. The Order directed all electric and telephone utilities subject to the jurisdiction of the Commission to file tariff amendments setting rates for new wireless pole attachments.

Background

In compliance with the Commission's March 2019 Order in this proceeding, the Commission ordered New York State electric utilities to file tariff amendments establishing rates for wireless pole attachments. In its compliance filing made June 12, 2019, the Company established a rate for wireless pole attachments and also proposed an update to its span wire pole attachment rate. The Commission subsequently suspended the effective date of the compliance filing through and including November 28, 2019. The Order is allowing the Company to file a wireless pole attachment rate to become effective October 1, 2019 while the span wire pole attachment rate continues to be reviewed.

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Tariff Changes

The Company proposes to update General Information Section No. 12.2 - Pole Attachment Charges to establish the charge applicable to new wireless pole attachments. The Company has calculated the charge for new wireless pole attachments to be \$20.03 multiplied by the number of feet occupied. The number of feet occupied: (1) will reflect the overall length of the equipment and mounting hardware, plus six inches, rounded to the next whole foot; and (2) will exclude conduits, risers, and electrical meters.

Consistent with the Order, the rate used to determine the annual pole attachment charge was formulated using the Federal Communications Commission's cable formula for horizontal cable attachments and reflects the 2018 O&R pole attachment cost. Work papers detailing the computation of the revised rate used to determine the annual pole attachment charge are enclosed.¹

Conclusion and Notice

Pursuant to Ordering Clause 1 of the Order, the Company is filing changes to the Tariff on not less than five days' notice to become effective October 1, 2019. Pursuant to Ordering Clause 2, the Commission has waived the requirements for newspaper publication.

Please direct any questions regarding this filing to Cheryl Ruggiero at (212) 460-3189.

Very truly yours,

/s/

William A. Atzl, Jr.
Director – Rate Engineering

¹ The Company has used the pre-tax rate of return as adopted in Case No. 18-E-0067, which has already reflected the effect of the federal Tax Cuts and Jobs Act of 2017, for the calculation of the span wire and wireless pole attachment rates.