



NEW YORK STATE SENATOR
Michelle Hinchey

Senator Michelle Hinchey and Assemblymember Carrie Woerner Advance Legislation Expanding Access to Broadband Service in Rural Areas

MICHELLE HINCHEY June 1, 2021

| ISSUE: **RURAL BROADBAND**



ALBANY, N.Y. (June 1, 2021) – Senator Michelle Hinchey (SD-46) and Assemblymember Carrie Woerner (AD-113) today announced legislation ([S.7028](#) / [A.2396A](#)) addressing efficiency and cost barriers facing broadband service providers seeking to build out infrastructure in rural and underserved areas of New York State. One provision would streamline the contract process for these build-outs and a second would more fairly distribute installation costs between broadband service providers and utility pole owners (utility companies).

When broadband service providers seek to install internet service on a utility pole, they must

obtain contracts to use space on each pole they intend to use. This bill amends the Public Service Law to include all utility poles in a given city, town, or village under one contract, creating a more efficient system for broadband service providers to complete the installation process. This change would increase the likelihood that broadband providers will service more areas of the state and ensure that all homes within a municipality receive the same level of service.

The Hinchey/Woerner bill also updates cost distribution dynamics between utility pole owners and broadband service providers. Pole owners regularly delay the replacement of aging utility poles and will condition access to the pole on the broadband service provider agreeing to pay all costs associated with replacing it. This practice can greatly increase the cost of deploying the necessary broadband infrastructure to underserved parts of the state, disincentivizing such investment overall in these areas. This legislation prohibits this practice by pole owners and makes it so that whoever is requesting space on a utility pole will only be liable for a small portion of the cost if a new pole needs to be installed.

“Internet access has become a basic necessity and yet, it’s incredibly difficult to get high-speed, reliable broadband into our more rural communities due to high cost and lack of infrastructure,” said **Senator Michelle Hinchey**. “No matter where you choose to live, access to the internet should not be a barrier to success. This bill works to level the playing field and help our smaller broadband providers bring this needed service to communities that have been left behind. I’m proud to work with my colleague, Assemblymember Woerner, to bring equity to Upstate NY and will be fighting to get this important legislation over the finish line before the end of session.”

Assemblymember Carrie Woerner said, “Getting reliable internet to all the citizens of this state is a multi-dimensional problem. If we have learned anything in the past year, it is the extent to which we require a reliable internet connection to function in the world. This is one step to assure that residents of rural communities have access to the technology that most of the rest of the state takes for granted.”

Glen Faulkner, President / CEO of Margaretville Telephone Company, which services rural communities represented by Hinchey in the Central Catskills region, said, “The Margaretville Telephone Company and its subsidiary MTC Cable enthusiastically supports this legislation set forth by Senator Hinchey and Assemblymember Woerner which clarifies the financial

obligations between utility pole owners and broadband service providers (attachers) when installing new broadband facilities. Margaretville Telephone Company is very familiar with the financial, administrative, and logistical challenges faced when extending broadband infrastructure into the un-served areas. This legislation provides clear expectations on how pole replacement and other pole make-ready costs will be fairly allocated between the broadband service provider and utility pole owners. We thank Senator Hinchey and Assemblymember Woerner for their efforts to streamline the pole attachment process guaranteeing that critical broadband services can be delivered expeditiously and cost-effectively to all New Yorkers.”

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RELATED LEGISLATION

2021-S7028

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

- Relates to requirements for certain contracts for attachments to utility poles and the use of utility ducts, trenches and conduits

May 25, 2021

Senate Floor Calendar

Sponsored by **Michelle Hinchey**

Do you support this bill?