



VIRGIN ISLANDS WATER AND POWER AUTHORITY

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OFFICE OF THE EXECUTIVE DIRECTOR

September 29, 2023

VIA ELECTRONIC MAIL

Marvin A. Blyden
Chairman
Committee on Housing, Transportation, & Telecommunications
35th Legislature of the Virgin Islands
Capitol Building, P.O. Box 1690
St. Thomas, U.S. Virgin Islands 00804

Re: Hearing – Quality of Telecommunications and Broadband in the Territory
October 2, 2023

Dear Chairman Blyden,

In response to your request for testimony on, among other matters, the items outlined below, please find attached the testimony of the Virgin Islands Water and Power Authority.

- *Ongoing network or other issues impacting the quality of service, along with actions plans to address any such matter;*
- *Status of present infrastructure projects and plans for future development, with a focus on planning and utilization of federal broadband funding; and*
- *Plans for improving and expanding customer service, connections speeds and service coverage areas in the Virgin Islands.*

Sincerely,

Andrew L. Smith
Executive Director/CEO

TESTIMONY

I am Andrew L. Smith, Chief Executive Officer and Executive Director of the Virgin Islands Water and Power Authority, WAPA or the Authority. I would like to thank the Honorable Chair, Senator Blyden, as well as other members of the Senate present for the opportunity to appear before you today to discuss WAPA's role as it relates to the quality of telecommunications and broadband in the Territory.

WAPA's role in telecommunications and broadband in the Territory is to allow telecommunications and broadband providers access to WAPA's utility infrastructure. In addition to telecommunications and broadband infrastructure, WAPA also has other infrastructure that attaches to its power poles, for example ShotSpotter, which is used by law enforcement to identify and locate gunfire.

Telecommunications and broadband providers are required to perform and provide the engineering analysis to ensure that their equipment can be safely installed on WAPA's poles. Providers are also required to comply with all electrical and other safety standards as well as federal requirements for their installations and equipment operation. For example, recent changes to the National Electrical Safety Code have enacted new requirements for Radio Frequency (RF) emitting devices to have a method of disconnecting and continuous exposure monitoring for technicians and linemen to be able to work safely on poles where these devices are located.

The telecommunications providers pay WAPA a fee for pole attachments, which is customary in the utility industry. WAPA charged telecommunications providers \$177,192.00 for pole attachments in

calendar year 2022, however, the rate WAPA has been charging for pole attachments is outdated.

The foregoing is all governed by a pole attachment agreement, in the case of a private third-party counterparty, or a memorandum of understanding, if the counterparty is a governmental agency. WAPA's pole attachment agreement was significantly outdated having been developed approximately 30 years ago. A revised pole attachment agreement has been developed and redline drafts are being exchanged between WAPA and the telecommunications providers. The charges for pole attachments in the current agreement were benchmarked against industry standards through coordination with the American Public Power Association, an industry trade association as well as other utilities.

To provide some context for the order of magnitude of WAPA's system and some of the challenges with pole attachments, I want to address four key topics.

First, WAPA's system includes approximately 40,000 installed utility poles. The most recent request from a telecommunications provider for poles that it is seeking to attach infrastructure to is for approximately 1,000 poles. WAPA must locate and evaluate each of the requested poles.

Second, as I just mentioned, WAPA must evaluate, and most critically, locate poles that are requested by telecommunications providers. This is a challenge for WAPA because following the storms of 2017, WAPA's focus was on restoring service to as many customers as it could as quickly as it could. As a result, the infrastructure and their placement are not mapped to the specificity required to easily locate and evaluate poles. WAPA is currently working through a mapping of its system,

funded by a federal grant, that will make the process of identifying and locating poles easier. That mapping process is expected to be completed later this year.

Third, the proper analysis must be performed to ensure proper pole loading for weight, wind, and forces on the poles. In some cases poles must be upgraded to be compliant with National Electric Safety Code.

Fourth, if holes are going to be drilled in composite poles, the work must be performed per the pole manufacturer's specifications or else the warranty on the pole could be voided. Composite poles are expensive, costing almost \$9,000 each, versus less than \$1,000 each for all but the largest wooden poles used by WAPA. Accordingly, preserving the warranty on the poles is critical.

I assure you that WAPA wants to support the installation of critical telecommunications and broadband infrastructure, but as I have described in my testimony, that process is not as simple as just allowing a telecommunications provider access to WAPA's infrastructure to install equipment without protecting the utility's assets.

This concludes my testimony. Again, I thank the Senate and the public for the opportunity to discuss telecommunications and broadband in the Territory. I would also like to thank the hardworking men and women who work around the clock, regardless of weather, daylight, or nighttime in the WAPA family.