

## Get Right With Rights of Way

**T**he combination of the increased demand for broadband and the availability of once in a generation funding to deploy it, makes it imperative that state and local governments streamline their permitting processes so that consumers can get access to broadband as quickly as possible. Currently, delays and denials are impeding network providers from deploying broadband in a cost effective and timely process. By streamlining, expediting and in some cases waiving rules broadband providers will be able to maintain, repair and upgrade services that will help with e-learning, telemedicine, and connecting small businesses and consumers especially in rural and under-served areas. Furthermore, a standardized permitting process across localities will also allow broadband providers to plan ahead and more quickly make decisions about deploying broadband infrastructure in rural areas.

### Recommendations for Streamlining and Standardizing Local Permitting

- Incentivize cities and localities to streamline and expedite review and approval processes (i.e. blanket permits, expedited approval times, waiver of rules, expedited inspections), waive ROW fees for network deployment, and/or charge only cost-based fees. Provide communities that do this with a special designation that speeds their access to federal infrastructure dollars.
- Incentivize waiving for a limited period of time all state and local permitting requirements necessary to deploy and operate broadband infrastructure or equipment (whether fiber or fixed wireless related) as well as similar equipment needed to provide temporary services.
- Utilize some of the administrative money provided by the BEAD program to increase permitting staff and streamline procedures.
- Remove certain non-standard permitting elements (e.g., plan and profile) that significantly increase the permitting burden to expedite construction and deployment.
- Projects that support a collaborative approach with the local permitting offices should be afforded a streamlined approach.
- Redesign any first in first out permitting procedures that may inhibit efficient response times to project requests.
- Remove or minimize restrictions on bulk permitting applications.
- Ensure that entities receiving grants are not penalized by delays in receiving timely submitted permit and rights of way applications.
- Consider if there is the possibility of reimbursement to third parties for non-reimbursable out of pocket make ready costs or moves, particularly those associated with other infrastructure projects including transportation.
- Utilize technology and techniques such as digital pictures of work showing measurements, pot holes, boring rods, etc. for inspections, restoration and work in the Rights of Way (uniform throughout the state), as well as, microtrenching and other techniques that are less disruptive to the locality that speed construction and lower costs.
- Implement a Dig Once strategy to coordinate deployment of broadband facilities with infrastructure projects.
- Simplify standard forms and requirements to avoid complexity and improve the cost and time associated with applications.