



Meeting Date: August 28, 2025 **Agenda Type:** Consent Items for Action

From: Gregory Thomas, P.E. **Reviewed by:** Michael Short, P.E.
Chief Engineer of Electric Director of Engineering
Services

Submitted by: Mark Steelman **Approved by:** Ryan Kelso
Chief Operations Officer Chief Executive Officer

RECOMMENDED ACTION: Approve and Adopt Resolution #2025-201 Approving Pole Attachment and Wireless Installation Standards and Authorizing the Chief Executive Officer or His Designee to Enter into License Agreements with Communications Providers Attaching to NBU Facilities

BACKGROUND

In 2017, the Texas Governor signed Senate Bill 1004 into law, which requires municipally owned utilities to allow network nodes to attach on municipally owned utility poles on nondiscriminatory terms. To comply with state law, New Braunfels Utilities (“NBU”) staff developed Pole Attachment Standards and an accompanying License Agreement (the “Templates”) designed to provide statutorily required access to NBU poles while also protecting NBU infrastructure.

On October 28, 2021, the NBU Board authorized Resolution #2021-152 approving the Templates. NBU hereby seeks to amend and update the Templates.

The singular substantive update clarifies that a Communications Provider “Attachment” does include standalone service drops, which are attached to NBU poles. This clarification is critical as there has existed inconsistency on whether service drops are included in annual pole attachment tallies. As standalone service drops consume space upon and add mechanical loading onto NBU utility poles, they are permitted to be billed as an attachment. Other non-substantive clerical and administrative updates are also proposed, as detailed within the Exhibits.

FINANCIAL IMPACT

NBU staff anticipates gaining attachment count by including standalone service drops in the pole attachment annual tally. It is estimated up to 1,000 existing and future service drops would be eligible for billing, translating to \$16,970.00 per year using Calendar Year 2025 calculated rates. Additional service drop attachments will be added to NBU's Geographical Information System on an as-found and as-permitted basis, and billed to the Communications Providers accordingly.

LINK TO STRATEGIC PLAN

Infrastructure and Technology

Financial Excellence

EXHIBITS

1. Resolution #2025-201
2. Exhibit A - 2025 NBU Pole Attachment and Wireless Installation License Agreement
3. Exhibit B - 2025 NBU Pole Attachment Standards
4. Redline Exhibit A - 2025 NBU Pole Attachment and Wireless Installation License Agreement
5. Redline Exhibit B - 2025 NBU Pole Attachment Standards