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COMMONWEALTH OF KENTUCKY PUBLIC SERVICE BEFORE THE PUBLIC SERVICE COMMISSION Case No. 2018-00157

In the Matter of

CMN-RUS, INC.

COMPLAINANT

v.

WINDSTREAM KENTUCKY EAST, INC.

RESPONDENT

# TESTIMONY OF JOYCE LATHAM WINDSTREAM

Filed: September 6, 2018

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1

I. INTRODUCTION AND BACKGROUND

2 Q. Please state your name, position, and business address.

A. My name is Joyce Latham. I am Sr. Director of Network Operations for Windstream.<sup>1</sup> My
business address is 4001 N Rodney Parham Rd, Little Rock, AR 72212.

5 Q. Please describe your educational and professional background.

A. I have been employed in the telecommunication industry for twenty-six years. Serving in
roles in Engineering, Network Operations, Outside Plant Engineering, Accounting, Billing,
Revenue Assurance, Cost Management, Service Delivery, Customer Service and Cell Phone
Procurement and Distribution. Prior to working in the Telecommunication field, I held positions
as Staff Accountant at a Public Accounting firm and Full Charge Bookkeeper at various private
businesses. I am a graduate of Wichita Business College in Computer Programming. I also
completed the adult education requirements for a Mini MBA from Wichita State University.

13

#### II. THE POLE APPLICATION PROCESS

## 14 Q. Please describe the pole attachment application process.

15 A. First there are several Windstream teams involved:

- The Permitting Team is responsible for processing and managing pole applications.
   This team consists of a Manager, Supervisor, Permitting Analysts, and Permitting
   Coordinators. The Supervisor oversees the Permitting Team's email account and
   distributes the application requests to the Permitting Analysts. The Permitting Analysts
   then process the applications.
- The OSP Engineering Managers and OSP Engineers receive the applications from the
   Permitting Team, review the application and its attachments for accuracy, then

<sup>&</sup>lt;sup>1</sup> In this Testimony,

1	assuming the application is approved, sends it to the engineering contractor						
2	("Contractor"). The Engineering Manager also is responsible for reviewing the						
3	Contractor's make ready work once completed.						
4	3. Windstream Pole Attachment Invoicing Team ("Invoicing Team") processes make-						
5	ready invoices and payments from prospective attachers ("Attachers").						
6	4. Engineering Contractor is hired by Windstream as a contractor to perform Make Ready						
7	engineering surveys for Windstream's portion of the Make Ready construction.						
8	5. Construction Contractor is hired by Windstream as a contractor to perform the Make						
9	Ready construction.						
10	Pole applications are received through the email account of someone in Engineering						
11	Support. Felicia (Nicole) Hodges received most of the applications for the CMN project.						
12	Once an application is received, the Permitting Team Supervisor sorts the incoming						
13	application emails into the appropriate state folders and assigns them to the applicable						
14	Permitting Analyst assigned to process that application. <sup>2</sup>						
15	The Permitting Team receives the application and any supporting documents						
16	included, such as job prints, pole data sheets, or maps, for processing from the Attacher".						
17	The application is processed in six steps.						
18	First, the Permitting Analyst creates an internal ticket ("JIRA Ticket") utilizing the						
19	information on the application received. The internal ticketing system ("JIRA") auto						
20	assigns a Joint Use Permit Request ("JUPR") number to that record, example: JUPR-1234.						
21	The JUPR number is used as the Windstream's internal application number, assuming the						

<sup>&</sup>lt;sup>2</sup> Permitting Analysts are assigned a geographical region, and each one typically works only applications from that region.

application was approved by the OSP Engineer. If the application is rejected a ticket is not logged.

3 Second, the Permitting Analyst records the number of requested attachments or 4 removals in the original application in the JIRA Ticket. This data is used for updates to 5 the pole record counts in LeaseNet. LeaseNet is a vendor system used to maintain accurate 6 pole attachment counts for audits and for verification of pole rental invoices processed by 7 Windstream's Pole Attachment Invoicing Team.

8 Third, the Permitting Analyst, adds the JUPR number, from the JIRA Ticket, to the 9 application form originally received. The JUPR number will be used for tracking the 10 application throughout the process.

Fourth, the Permitting Analyst identifies the appropriate OSP Engineer for the pole location(s) included in the application/proposal. The OSP Engineers are assigned geographical areas that they support.

# Fifth, the Permitting Analyst emails the Packets<sup>3</sup> to the identified OSP Engineer for review and approval or denial of the application.

- Sixth, the Permitting Analyst emails the Attacher and provides the JUPR tracking
  number and notification that the application has been submitted to the OSP Engineer.
- 18

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#### I. OSP Engineering Manager and Contractor:

19 OSP Engineering receives the Packet from the Permitting Team. The Packet is 20 reviewed to ensure all required information and documentation is included so that 21 Windstream can proceed to engineering Windstream's portion of the Make Ready

<sup>&</sup>lt;sup>3</sup> A Packet is a collection of documents that contains the pole application, drawings, pole data sheet, any other applicable document or information. Collectively the Packet represents what will become the Make Ready estimate.

construction. Proper documentation means, a map of requested work location(s), the
 Application Form from the contract is filled out properly, the pole data sheets are included,
 and a description of the work being requested (referred to by CMN as the "MetroNet Packet
 Number").

5 The Packet is logged to the Permitting Team's tracking spreadsheet (the "Tracker"). 6 This includes the JUPR, MetroNet Packet Number, wire center, total poles on request, 7 number of poles requiring make ready, number of poles to be set and/or replaced, the date 8 the Permitting Team answer the request and the date sent to the Engineering Contractor.

9 The Packet is then emailed to the Engineering Contractor. Within the email, pole 10 detail, location, and any other relevant information is provided. Once the Engineering 11 Contractor receives the email and Packet, it is assigned to the Contractor's engineers.

12 The Engineer obtains the necessary records from Windstream's mapping system 13 ("GCOMMS") and then physically drives to the site. The Engineer checks every pole listed 14 in the application, gathers field notes. These notes include the names of the companies 15 attached to each pole, what work is needed for Windstream to perform its Make Ready 16 work, the number of cables or strands that must be lowered, attachment heights of all 17 attachments, number of drops to lower, summary of the condition of the pole, if the clearance will still be within the required height once lowered, checks down guys, anchors, 18 19 and bonding, the pole number and adjacent plant. The total time spent per pole is thirty 20 minutes depending on the complexity of the attachments.

After the site visit the Engineer draws work prints. Once the prints are prepared with all required information they are sent to the Contractor's Engineering Assistant to enter job package into JobTrac. JobTrac is a tracking software that allows Windstream to

track the details of a construction job, in this case make ready construction, from start to finish.

1

2

The JobTrac process includes: creating the JobTrac Number, Title, writing the narrative, entering all construction units into the pricing tab along with the Engineering Contractors cost, attaching location map, work prints, Engineering Contractors cost sheet, joint use forms for each company that may need notification, and any other important information for crews to perform the work, filling out construction details, a schedule of work required, and creating a distribution list for that JobTrac number.

9 Next, the Engineering Contractor notifies Windstream OSP Engineering Manager
10 via email that the JobTrac is ready for review. This review includes the JobTrac number,
11 the Contractor's tracking number, the JUPR, and the MetroNet Packet number.

12 The Windstream OSP Engineering Manager reviews the Contractor's JobTrac 13 entry for accuracy in comparison to the work the Engineer entered on the work prints. The 14 OSP Engineering Manager also checks every pole on every contracting print to assure the 15 work CMN requested is accounted for on the work prints. The Windstream OSP 16 Engineering Manager then updates the Tracker with the JobTrac number, Windstream 17 internal application number, and whether a permit is required. The Windstream OSP 18 Engineering Manager then send email notification to the Contractor accepting or rejecting 19 the JobTrac and Packet.

If approved, the Windstream OSP Manager emails the Windstream OSP Engineer
the JobTrac number and requests it be submitted for approval in JobTrac. The Windstream
OSP Manager approves the job in JobTrac.

1	The Windstream OSP Manager completes columns 10, 11, and 12 of the Pole
2	Application form with attachment height for CMN to attach on the Windstream pole for
3	every pole on the request, the work Windstream needs to perform at each pole, and if
4	Windstream should bill for rent. Other information listed on Pole Application form is the
5	JobTrac number, the amount to bill CMN for make ready construction, and the number of
6	attachments that are to be lowered for each packet. The Pole Application Form is then
7	signed by Windstream and dated.

8 The Windstream OSP Engineering Manager sends an email to the Invoicing Team, 9 the Permitting Team, and OSP Engineer with the completed Pole Application form along 10 with a summary of the Packet Number, JUPR, amount to bill, and JobTrac number. The 11 Windstream OSP Engineer attaches the email to that JobTrac number in the JobTrac 12 system.

13 The Windstream OSP Engineering Manager updates the Tracker with the date the 14 JobTrac was approved, the Contractor's charges, the total make ready charges billed to 15 CMN, the date the Pole Application was sent to the Permitting Team, and the number of 16 poles processed.

17

# II. Make Ready Billing Process:

18 The next step in the process is make ready billing. The Invoicing Team receives notice of
a billing request. This will either be from a direct email from the Windstream Engineer or through
a JobTrac notification.

21 Once the request is received, the Invoicing Team opens the job in JobTrac to obatin all 22 necessary information. This information includes: the work package, and the pricing design from

the Windstream Engineer. The work package includes all documents from the Pole Application,
 the work prints, and the contractor's drawings, designs, and notes.

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3 The work package and the pricing design combined will provide the account coding needed
4 to bill the Attacher thru Windstream's billing system ("MARS").

5 To create the invoice the Invoicing Team opens a blank invoice entry screen in MARS. In 6 the entry the Attacher name, Windstream entity company name, and Windstream company 7 accounting number are added. The JobTrac number and order date is also entered. Once this 8 information is entered into the entry the invoice can be created. This will populate an invoice 9 number and invoice date.

Next the invoice amount and account number are added to the invoice. The account number
 comes from the work package. The invoice is now completed, and a copy is saved. Copies of the
 invoice are then sent to the Windstream Engineer, the Permitting Team, and to the Attacher.

13

### III. Once Payment is Received – OSP Manager and Contractor:

The Attacher has fourteen days to pay the make ready invoice. Once paid, a payment confirmation email is sent to the Windstream OSP Engineering Manager, the OSP Engineer and the Permitting Team.

17 The OSP Engineer updates the expected completion dates and distributes those18 expectations and information to the contractor to begin construction.

19 The Windstream OSP Engineering Manager then must update the Tracker with the date the 20 Make Ready invoice was paid, the date the JobTrac was distributed to the Contractor and a target 21 completion date for the Contractor.

Typically, Windstream's contracts state the Contractor has sixty (60) days to perform the make ready construction.

1 The Contractor notifies Windstream once the work is completed. The Windstream OSP 2 Engineering Manager updates the Tracker with the construction completion date. The Contractor 3 then redlines the JobTrac work prints, enters units, and submits the updated JobTrac for invoice 4 reconciliation. The Windstream OSP Engineer must inspect the updated JobTrac information at 5 the physical site to ensure the Contractor's work meets all safety and regulatory requirements. 6 Windstream OSP Engineer fills out an inspection form documenting the site inspection.

7 The Windstream OSP Engineer populates completed dates in the JobTrac, prepares any 8 necessary change forms for auditing purposes, and completes the invoice reconciliation of the 9 JobTrac. The Windstream OSP Engineer sends signed copies of the Pole Application to the 10 Permitting Team.

11

# IV. Permitting Team - Completing the Application

12 Once the Permitting Team receives the signed Pole Application from the Windstream OSP 13 Engineer, it is logged and saved to the JIRA ticket. The Permitting Analyst then closed the JIRA 14 ticket with the date approval was received and the date approval was loaded into JobTrac.

Signed approval will be sent to the Attacher. At this point, the Attacher is clear to begin
construction necessary to attach to the pole.

A diagram of this process is shown in Exhibit 1, WIN0872. There is also an explanation
of the process that is given to Attachers in Exhibit 2, WIN0873-879.

19 Q. Does this conclude your testimony?

20 A. Yes.

#### VERIFICATION

## STATE OF ARKANSAS )

#### COUNTY OF JEFFERSON )

The undersigned, Joyce Latham, being duly sworn, deposes and says that she is Sr. Director – Network Operations for Windstream, and that she has personal knowledge of the matters set forth in the foregoing testimony, and that the answers contained therein are true and correct to the best of her information, knowledge, and belief.

Subscribed and sworn before me, this the 3 day of  $\alpha_{12}$  day of  $\alpha_{12}$ 

NOTARY PUBLIC

EXPIRATION: 09-01-21

NOTARY ID: 12383725

OFFICIAL SEAL - #12383725 SANDRA JEAN GRIFFIS NOTARY PUBLIC-ARKANSAS SALINE COUNTY MY COMMISSION EXPIRES: 09-01-21

The Pole Application and prints are received through email. The Permitting Team creates a JIRA ticket and sends to the appropriate Engineer. *See 5(b)(I)* 

-

The Engineer reviews the Pole Application and sends to the Engineering Contractor. The Engineering Contractor performs the site visit, creates the JobTrac, and sends back to the Engineer for approval. If the request to attach is approved with make ready, the Engineer provides a make ready estimate with approved Application back to the Permitting team. Per regulation, Windstream has 45 days to reply to the initial application and another 14 days to provide a make ready estimate, if applicable. See 5(b)(II)

The Permitting Team updates the JIRA ticket with the Make Ready estimate. The Permitting Team sends this notification to the Invoicing Team.

If Make Ready is required, the Invoicing Team creates and sends an invoice to the Attacher. The Attacher has 14 days to remit payment for the Make Ready estimate. Once paid, the Invoiceing Team notifies the Engineer and the Permitting Team. See 5(b)(III)

Once Make Ready payment is received Windstream has 60-90 days to complete make ready work depending on the total number of attachments included in the application. 300 or less = 60 days and 301+ = 90 days. The Engineer sends the job to the Construction Contractor and schedules the make ready work to be completed. The Engineer notifies the Permitting Team once construction is complete and provides the signed Pole Application to the Attacher. *See 5(b)(IV)* 

The Engineer notifies the Permitting Team and Invoicing Team when the Make Ready construction is completed. Also sends notification to applicable Third Party Attachers. The Invoicing Team updates the pole attachment count in LeaseNet based on the final pole and attachment count entered in JobTrac.

The Permitting Team sends notification, to the Attacher, when Make Ready construction is completed and updates all necessary records. *See 5(b)(V)* 

Gray - Permitting Team Green – Engineer/Contractor Blue - Invoicing Team



WIN0872

# POLE ATTACHMENT APPLICATION and PROPOSAL PROCESS

This procedure explains how to process and administer <u>Pole Attachment Application</u> request for Windstream and Attachers.

#### A) Pole is WINDSTREAM owned and an Attacher requests to add or remove attachments

The poles applications and proposals are received through the Permitting Team's email box:

#### windstream.jointuse@windstream.com.

The Permitting Team receives the application and any supporting documents included, such as job prints and/or maps, for processing. The application/proposal processing steps are as follows:

- The Permitting Analyst creates a JIRA ticket utilizing the application/proposal received. JIRA auto assigns a Joint Use Permit Request (JUPR) number to that record, example: JUPR-1234 This ticket number is used as the Windstream JU permit number, if the application/proposal is approved by the Engineer.
- The Permitting Analyst records the number of attachments or removals requested in the original application/proposal in the JIRA record created to track the request. This data is used for updates to the pole record counts in LeaseNet. LeaseNet is used to maintain accurate pole attachment counts for audits and for verification of pole rental invoices processed by the Windstream Poles Team. A report of all pole attachment counts is pulled monthly by the Poles Team for LeaseNet count updates.
- The Permitting Analyst, using Adobe Acrobat, adds the JUPR number, from the JIRA ticket created, to the application/proposal form originally received, as this reference number will be used for tracking the application/proposal through processing.
- The Permitting Analyst uses the OSP Engineering contact list on Stream or other resources based on city/exchange to identify the appropriate Engineer for the pole location(s) included in the application/proposal.
- The Permitting Analyst emails the application and other documentation received to the identified OSP Engineer for review and approval or denial of the attachment application/proposal. The email includes the following standard subject line and verbiage:

#### Subject Line: Joint use application/proposal - JUPR-1234 - ABC Company

Please review the attached joint use application/proposal. Please make any required notes and complete the Exhibit B form(s).

Please respond with an approval or denial of the joint use application/proposal within 45 days.

If there are make ready costs involved with the project, please create a job in JobTrac and advise the Windstream Permitting team of the JobTrac number. Email the completed Exhibit B's and the Make Ready estimate to <u>Windstream.Poles@windstream.com</u> for invoicing and <u>Windstream.Jointuse@windstream.com</u>.



WIN0873

The Windstream Poles team will compile all costs and send a Make Ready invoice to the applying company. Once the requestor remits payment for the make ready costs, you will receive notification, via email, to release the job to construction.

If there are <u>no</u> make ready costs involved with the project, please email the completed Exhibit B forms to both <u>Windstream.Jointuse@Windstream.com</u> and <u>Windstream.Poles@windstream.com</u> and include the engineering time for billing purposes.

To comply with Federal/State joint use regulations response is due by <u>4/14/2017</u>. Failure to meet this response date may result in penalties to Windstream or other legal actions.

Please let me know of any questions or concerns.

Thank you, First and Last Name Windstream Permitting Team –Engineering Support (501) 748-9999 - office Windstream email address

Upon receipt of the application/proposal the Engineer will review, complete the pole survey, and complete the Exhibit B form.

Per current FCC regulations Windstream has 45 days to respond to an application to attach. The Permitting Team uses an FCC calculator to determine the FCC due date and this date is included on the email notification sent to the Engineer.

#### Application/Proposal Denied

If the application/proposal to attach is denied the Engineer sends email notification to both <u>windstream.iointuse@windstream.com</u> and <u>windstream.poles@windstream.com</u> and includes the specific reasons the application/proposal is being denied by Windstream.

Upon receipt of the email from the Engineer, the Permitting Analyst completes the following steps:

- ✓ Notifies the requesting organization of the application/proposal denial via email
- ✓ Updates the JIRA ticket with notes on the results of the review and pole survey completed by the field
- ✓ Changes the status of the JIRA ticket record to "Closed Complete"
- ✓ Saves any correspondence or documentation to the JIRA ticket

Upon receipt of the email from the Engineer, the Poles Team Analyst invoices the Attacher/organization for a \$75.00 survey fee.

Note: Windstream charges a fee of \$75.00 for each joint use application pole survey. This fee is charged if the application is approved, denied, or cancelled.

#### Application/Proposal Approved - no make ready work

If the Engineer approves the joint use application/proposal and there is no make ready work to be done for the project, the Engineer sends notification to <u>windstream.jointuse@windstream.com</u> or and <u>windstream.poles@windstream.com</u> of no make ready work required and provides the final pole/attachment counts. The ENGINEER should include the following:

- Who to bill
- The billing address
- Email address if available (for speedy turnaround on billing)

- .
- JIRA ticket number (obtained via Permitting Team)
- Original application/proposal received from Permitting Team
- Amount to bill (\$75 survey fee per application plus engineering costs)

The Engineer notifies all other existing attachers on the pole(s) if their facilities must be adjusted or altered to accommodate the new attacher.

Upon receipt of the email from the Engineer, the Permitting Analyst completes the following steps:

- ✓ Sends the requesting organization the approved application/proposal, via email, providing the JIRA ticket number as the Windstream permit number
- ✓ Updates the JIRA ticket with notes on the results of the review and pole survey by the field
- ✓ Changes the status of the JIRA ticket to "Closed-completed"
- ✓ Saves a copy of the approval and any other documentation from the Engineer to the JIRA ticket.

Upon receipt of the email from the Engineer, the Pole Analyst completes the following steps:

- ✓ Invoices the Attacher/organization for the \$75.00 survey fee and engineering costs (labor)
- ✓ Updates the pole count or attachment count in LeaseNet for future pole invoicing purposes.

#### Application/Proposal Approved – with make ready work

If the Engineer approves the joint use application/proposal with make ready work to be done for the project, then the Engineer sends notification to <u>windstream.jointuse@windstream.com</u> and <u>windstream.poles@windstream.com</u> to notify of the make ready estimate approval. The Engineere should include the following:

- Who to bill
- The billing address
- Email address if available (for speedy turnaround on billing)
- JobTrac number
- Amount to bill (Make Ready estimate and \$75 survey fee)

Upon receipt of the email from the Engineer, the Permitting Analyst completes the following steps:

- ✓ Updates the JIRA ticket with notes on the results of the review and pole survey by the field
- ✓ Saves a copy of the completed Exhibit B form and the make ready estimate from the Engineer to the JIRA ticket.

Upon receipt of the email from the Engineer, the Pole Analyst completes the following steps:

- ✓ The Windstream Poles team prepares and sends the Make Ready invoice, including the \$75.00 survey fee per application, to the Attacher requesting approval to attach. <u>Windstream.jointuse@windstream.com</u> and the Engineer are included on this email notification
- ✓ Updates the pole count or attachment count in LeaseNet for future pole invoicing purposes.

#### Note: Make Ready construction will not begin until payment of the Make Ready invoice is received.

The Attacher has 14 calendar days to respond to the Make Ready estimate.

If the Attacher elects not to pay the make ready invoice the Poles Team sends notification to <u>windstream.jointuse@windstream.com</u>. The Permitting Analyst updates the JIRA ticket with notes regarding non-payment of the make ready invoice and changes the status to "Closed-Completed".

If the Attacher pays the Make Ready invoice, the Windstream Poles Team sends email notification to windstream.jointuse@windstream.com and to the ENGINEER/Engineer in the field.

The Engineer schedules the make ready work to be completed and notifies the Permitting Team.

The Engineer notifies all other existing attachers on the pole(s) if their facilities must be adjusted or altered to accommodate the new attacher.

The Engineer updates the final pole/attachment counts in the miscellaneous tab and adds the JIRA ticket number to the Pole Attachment Proposal/Permit Number field in JobTrac.

The Engineer notifies, via email, <u>windstream.poles@windstream.com</u> and <u>windstream.jointuse@windstream.com</u> when the make ready work has been completed.

Upon receipt of notification the make ready work has been completed, the Permitting Analyst completes the following steps:

- ✓ Notifies the requesting utility/organization and provides an approved application/proposal, via email, providing the JIRA ticket number as the Windstream permit number
- ✓ Updates the JIRA ticket with notes on the results of the review and pole survey by the field
- $\checkmark$  Changes the status of the JIRA ticket to "Closed-Completed"
- ✓ Saves a copy of the approval and any other documentation from the Engineer to the JIRA ticket.

Windstream Permitting Team works off a three day service-level agreement.

	Days Utility has to Respond to Initial Request				If Exceptions Apply, days to preform Make Ready Work
Kentucky	45	14	14	60	90

Γ			TO ALL FIRMS: IF YOU CH D FOR WINDSTREAM'S ENG									1
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	Windstream Lead & Structure No. (Pole No.)	Power Pole No.	Location: Street, City, Township, Zip Code	Height, Class, Ownership of Pole	Hgt of highest Tel Cable	Hgt of highest Tel Drop	lowest Power Cable	other	# & type of Attachmts	Height Licensee to attach at	Licensor Work Description	Bill for Ren Y or N
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Submit to: Windstream.JointUse@Windstream.com.

# Windstream Pole Attachment Data Sheet

WINDSTREAM POLE NUM	BER	POWER POLE NUMBER					
STREET LOCATION		NAME OF ATTACHER					
CITYBOROTOWNSHIP		DATE FIELD PERSONNEL NAME					
ATTACHMENT TYPE	Cable Power Supply	Service Drop     Overhead Guy					
POLE BZE	TRANSFORMER/DEVICE ON POLE STREET LIGHT	STREET LIGHT BRACKET HEIGHT TOP OF CONDUIT RISER HEIGHT					
<b>GUYING REQUIRED FOR A</b>	NOLE, CORNER, OR TAP POLE CONSTRUCTION	CONDUIT RISER ☐ Yes ☐ No; If yes ➡ ☐ Primary ☐ Secondary					
MAKE READY WORK	REQUIRED IF YES, PROVIDE ADDITIONAL DETAIL Yes No No						
	POLE NO.	BEFORE AFTER					
	*TYPE OF POWER ATTACHMENT	Neutral     Secondary					
POLE DRAWING	Company Name 1 2 3 4	Lowest Power Attach. Ht. Front Back Front Back Front Back Front Back Front Back Front Back Front Back Front Back Attach. Ht. Front Back Attach. Ht. Front Back Attach. Ht. Front Back Attach. Ht.					
SPAN		givi ) Street Driveway Field Interstate ] Building Railroad Yard Parking Lot					
NOTE							

Are there any other poles? Yes