



December 2, 2025

The Honorable Erin Houchin
United States House of Representatives
342 Cannon House Office Building
Washington, DC 20515

Dear Congresswoman Houchin:

On behalf of Indiana Municipal Power Agency (IMPA), I am writing to express opposition to Section 102 of H.R. 2289, the Proportional Review for Broadband Deployment Act, as amended, because it contains the text of H.R. 278, the BROADBAND Leadership Act by Representative Morgan Griffith (R-VA).

IMPA is the wholesale electric power provider to 61 cities and towns throughout Indiana and Ohio that own and operate their local electric distribution utility systems. IMPA's mission is to provide reliable, low-cost, and environmentally responsible power. Our members operate their distribution systems to best serve their community with oversight provided by municipal councils and local utility service boards.

While public power utilities strongly support expanding broadband access, we do not believe this legislation will achieve that objective. As currently drafted, H.R. 278 would expand federal control over public power utility infrastructure, undermining local authority and engineering safety without any assurance that purported "savings" would be passed on to customers.

Section 224 of the Communications Act explicitly exempts public power utilities and rural electric cooperatives from Federal Communications Commission (FCC) oversight of pole attachments, recognizing that oversight is already provided at the local level. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and regulations is a barrier to broadband deployment.

APPA members are community-owned, not-for-profit entities with no incentive to restrict customer access to broadband services. The only reason a public power utility would deny an attacher access to utility poles is to protect public safety. Our members remain committed to supporting broadband deployment, but we do not believe the provisions in Section 102 of H.R. 2289 will advance that goal.

Sincerely,
INDIANA MUNICIPAL POWER AGENCY



Peter Prettyman
Senior Vice President and General Counsel



915 L Street., Suite 1210
Sacramento, CA 95814
(916) 326-5800
CMUA.org

December 2, 2025

The Honorable Brett Guthrie, Chairman
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone, Ranking Member
House Committee on Energy & Commerce
2323 Rayburn House Office Building
Washington, DC 20515

RE: H.R. 2289, the Proportional Reviews for Broadband Deployment Act – OPPOSE Section 102

Dear Chairman Guthrie and Ranking Member Pallone:

On behalf of the California Municipal Utilities Association (CMUA), I write to respectfully express our **opposition** to Section 102 of H.R. 2289, the Proportional Reviews for Broadband Deployment Act, by Representative Buddy Carter (R-GA) because it contains the text of H.R. 278, the BROADBAND Leadership Act by Representative Morgan Griffith (R-VA). CMUA represents 86 publicly owned electric, gas, water, and wastewater utilities statewide. Together, CMUA members provide water to 75 percent of Californians and energy to 25 percent of the state.

CMUA members are committed to an effective and efficient process for pole attachments throughout California. The only reason a public power utility would deny an attacher access to utility poles is to protect public safety. However, as currently drafted, Section 102 of H.R. 2289 (H.R. 278) would expand federal control over public power utility infrastructure, creating serious safety concerns without any assurance that purported “savings” would be passed on to customers. While public power utilities strongly support expanding broadband access, we do not believe this legislation will achieve that objective.

Section 224 of the Communications Act explicitly exempts public power utilities and rural electric cooperatives from Federal Communications Commission (FCC) oversight of pole attachments, recognizing that oversight is already provided at the local level. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and regulations is a barrier to broadband deployment.

CMUA members are community-owned, not-for-profit entities with no incentive to restrict customer access to broadband services. Our members remain committed to supporting broadband deployment, but we do not believe the provisions in Section 102 of H.R. 2289 will advance that goal.

If you have any questions, please contact me at ddolfie@cmua.org or reach out to Danielle Blacet-Hyden, CMUA’s Executive Director, at dblacet@cmua.org or 916-847-8444.

Sincerely,

Derek Dolfie
Director of Energy, California Municipal Utilities Association



CITY OF SALEM, VIRGINIA

ELECTRIC DEPARTMENT P.O. BOX 869 736 WEST MAIN STREET
ZIP CODE 24153-0869

The Honorable Representative Griffith

2110 Rayburn HOB

Washington, D.C. 20515

On behalf of Salem Electric Department, I am writing to express opposition to Section 102 of H.R. 2289, the Proportional Review for Broadband Deployment Act, as amended, because it contains the text of H.R. 278, the BROADBAND Leadership Act by Representative Morgan Griffith (R-VA).

The City of Salem Electric Department has pole attachment agreements with more than ten various communications companies and several other private companies to attach cables to our poles. We have worked with all of these companies to allow pole attachments without compromising safety standards and without limiting the Electric Department's future use of those poles. We feel strongly that the local control of these assets is extremely important.

As currently drafted, H.R. 278 would expand federal control over public power utility infrastructure, creating serious safety concerns without any assurance that purported "savings" would be passed on to customers. While public power utilities strongly support expanding broadband access, we do not believe this legislation will achieve that objective.

Section 224 of the Communications Act explicitly exempts public power utilities and rural electric cooperatives from Federal Communications Commission (FCC) oversight of pole attachments, recognizing that oversight is already provided at the local level. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and regulations is a barrier to broadband deployment.

APPA members are community-owned, not-for-profit entities with no incentive to restrict customer access to broadband services. The only reason a public power utility would deny an attacher access to utility poles is to protect public safety. Our members remain committed to supporting broadband deployment, but we do not believe the provisions in Section 102 of H.R. 2289 will advance that goal.

Sincerely,


A.K. Briele
Director,
Salem Electric Department



PO Box 2310
730 W. Main St
Salem, VA 24153
Tel. 540/378-0193
BRPA.org

Vision:

Blue Ridge will be the power supply partner of choice, adding economic value and technical expertise to its members through enhanced services.

Mission:

Blue Ridge will provide strategic, cost-effective services which enable its members to meet their customers' current and emerging needs.

Members:

Town of Bedford
Central Virginia Electric Coop
Craig-Botetourt Electric Coop
Town of Front Royal
City of Martinsville
City of Radford
Town of Richlands
City of Salem
Virginia Polytechnic Institute
and State University

December 2, 2025

The Honorable Representative Griffith
2110 Rayburn HOB
Washington, D.C. 20515

Dear Rep. Griffith:

On behalf of Blue Ridge Power Agency and its members, I am writing to express opposition to Section 102 of H.R. 2289, the Proportional Review for Broadband Deployment Act, as amended, because it contains the text of H.R. 278, the BROADBAND Leadership Act.

Blue Ridge Power Agency is a joint action agency with 9 members, each an electric distribution utility. These members serve over 89,000 customers across the Commonwealth of Virginia. Six members are municipally-owned utilities, two are cooperatives, and Virginia Tech Electric Service is a state agency (VTES). Blue Ridge serves as its members' voice in legislative and regulatory proceedings. Blue Ridge, along with VTES and its municipal members, are also members of the American Public Power Association (APPA).

As currently drafted, H.R. 278 would expand federal control over public power utility infrastructure, creating serious safety concerns without any assurance that purported "savings" would be passed on to customers. While public power utilities strongly support expanding broadband access, we do not believe this legislation will achieve that objective.

Section 224 of the Communications Act explicitly exempts public power utilities and rural electric cooperatives from Federal Communications Commission (FCC) oversight of pole attachments, recognizing that oversight is already provided at the local level. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and regulations is a barrier to broadband deployment.

APPA members are community-owned, not-for-profit entities with no incentive to restrict customer access to broadband services. The only reason a public power utility would deny an attacher access to utility poles is to protect public safety. Our members remain committed to supporting broadband deployment, but we do not believe the provisions in Section 102 of H.R. 2289 will advance that goal.

Sincerely,

Alice Wolfe
General Manager
Blue Ridge Power Agency



Harnessing the Power of Communities

December 2, 2025

The Honorable Brett Guthrie
Chair
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Guthrie and Ranking Member Pallone:

On behalf of the Local Energy Aggregation Network (LEAN Energy US) and our nationwide network of Community Choice Aggregation (CCA) providers and programs, we write to express our concern regarding legislation that the Committee has scheduled for markup this week.

LEAN Energy US represents roughly 40 million residents and businesses across eight states who rely on CCAs to access various energy supply options while still receiving high consumer protection. Our members have a proven record of designing and delivering local energy programs that aim to reduce energy use, lower bills, and strengthen community resilience. CCA programs have become so popular that participation in active CCA communities typically ranges between 85% and 95%. In addition, CCAs are one of the most powerful local policy tools that protects consumer choice, prioritizes competitive and stable pricing, and develops local economic benefits. Our [2023 study](#) demonstrates that CCA customers have saved, on national average, 2–25% compared to default utility rates.

We understand the intent of the “Energy Choice Act” (H.R. 3699) is to prevent state and local governments from limiting consumers’ energy options. While we strongly support consumers’ ability to direct energy choices, the bill as written may have the unintended consequence of calling into question those consumers’ voices in establishing and operating a CCA. The bill’s broad language could be read as a limitation on a CCA’s choice of resources, which is made with the desires of the local community in mind. Although CCAs allow individuals to opt-out, the language of this bill would introduce significant uncertainty in the operation of CCAs, if enacted.

LEAN Energy US stands ready to work with the bill sponsors and the Committee to amend this legislation to preserve and strengthen local authority and community-driven energy planning.

Thank you for your consideration.

Sincerely,

Claire Dépit-Strömbäck
Director of Public Policy

December 2, 2025

The Honorable Mariannette Miller-Meeks
U.S. House of Representatives
504 Cannon House Office Building
Washington, DC 20515

The Honorable Julie Fedorchak
U.S. House of Representatives
1607 Longworth House Office Building
Washington, DC 20515

Dear Representatives Miller-Meeks and Fedorchak:

On behalf of Missouri River Energy Services (MRES), I am writing to express our strong opposition to Section 102 of H.R. 2289, the Proportional Review for Broadband Deployment Act, as amended, because it contains the full text of H.R. 278, the BROADBAND Leadership Act by Representative Morgan Griffith (R-VA). As members of the House Energy & Commerce Committee, we expect this legislation to be considered before you at a markup tomorrow.

MRES is a not-for-profit, member-owned joint action agency serving 61 public power communities across Iowa, Minnesota, North Dakota, and South Dakota. Our member utilities are locally governed, community-owned, and responsible for maintaining the safety, reliability, and affordability of their electric systems. These systems are funded by and accountable to the same customers they serve.

As currently drafted, H.R. 278 would expand federal control over public power utility infrastructure, creating serious operational and safety concerns without any assurance that purported “cost savings” would be passed on to customers. While MRES and its members strongly support efforts to expand broadband access, we do not believe this legislation will help achieve that goal.

Section 224 of the Communications Act explicitly exempts public power utilities from Federal Communications Commission (FCC) pole-attachment oversight, an exemption grounded in decades of recognition that local ownership and governance already provide effective, transparent oversight. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and standards is a barrier to broadband deployment.

Public power utilities, including all MRES members, are community-owned and not-for-profit, with no incentive whatsoever to block or delay broadband access for their customers. The only

circumstances under which a public power utility would deny or condition access to utility poles involve ensuring public safety, protecting lineworkers, and maintaining the reliability of the local electric system. Imposing federally mandated timelines and deemed-granted provisions, as envisioned in H.R. 278, would shift risk and cost to electric customers and undermine utilities' ability to meet safety, engineering, and staffing requirements.

Our members remain committed to supporting broadband deployment, some partner directly with providers or operate broadband networks themselves, but we do not believe the provisions in Section 102 of H.R. 2289 will advance that goal. Instead, they would preempt local authority and reduce the tools public power utilities need to manage their systems responsibly.

For these reasons, we respectfully urge you to oppose Section 102 of H.R. 2289 and any effort to advance the provisions of H.R. 278 as part of this legislation or any future package. Thank you for your consideration and for your continued support of the public power communities we serve.

Sincerely,



Matthew E. Schull
President & CEO



ELECTRIC CITIES OF ALABAMA

UNITING ALABAMA'S ELECTRIC CITIES

Chairman
Elden Chumley
Vice Chairman
Sherry Sullivan

Secretary
Brian Chandler

Executive Director
Jonathan A. Hand

December 1, 2025

The Honorable Gary Palmer, Chairman
Subcommittee on Environment
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Palmer:

On behalf of Electric Cities of Alabama (ECA), I am writing to express opposition to Section 102 of H.R. 2289, the Proportional Review for Broadband Deployment Act, as amended, because it contains the text of H.R. 278, the Broadband Leadership Act by Representative Morgan Griffith (R-VA).

As you may know, ECA is proud to serve approximately one million customers in 36 cities across Alabama. From the Tennessee Valley region in the north to the gulf and wiregrass regions in the south, ECA's municipally owned electric utilities offer reliable and low-cost electricity.

As currently drafted, H.R. 278 would expand federal control over public power utility infrastructure in Alabama, creating serious safety concerns without any assurance that purported "savings" would be passed on to customers. While public power utilities strongly support expanding broadband access, I do not believe this legislation will achieve that objective.

Section 224 of the Communications Act explicitly exempts public power utilities and rural electric cooperatives from Federal Communications Commission oversight of pole attachments, recognizing that oversight is already provided at the local level. For years, cable and telecommunications companies have sought to eliminate this exemption, arguing, without evidence, that local control over rates and regulations is a barrier to broadband deployment.

ECA member utilities are community-owned, not-for-profit entities with no incentive to restrict customer access to broadband services. ECA remains committed to supporting broadband deployment, but do not believe provisions in Section 102 of H.R. 2289 will advance that goal.

Uniting Alabama's municipally owned electric utilities, I remain

Sincerely,


Jonathan A. Hand
Executive Director