

**World Summit of PLC Associations:
PLCA Presentation**

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Brussels, Belgium
June 10, 2003**



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About the PLCA

Basic Facts about the PLCA

- PLCA = Power Line Communications Association
- Founded in December 2001
- Incorporated in District of Columbia, USA
- IRS 501(c)(6) non-profit status
- USA-focused
- Fully independent



PLCA Members

- Utilities or affiliates
- PLC network operators
- Vendors of PLC technology & services
- ISPs
- CLECs



PLCA Governance

- 60% of board = utilities/PLC network operators
- 40% of board = other members
- Chairman = Keith Brightfield of Ameren
- President = Alan Shark
- Counsel = Troutman Sanders



PLCA Purposes

- Promote PLC (as access technology) in USA
- Advocate favorable public policy for PLC
- Act as catalyst for industry cooperation on tech R&D, standards, market research, capital formation and other objectives



PLCA Activities (1 of 2)

- Conferences/seminars on 12/01, 12/02, 07/03
- Participation in other conferences/meetings: Columbia I, II & III; Harvard; PLC Forum
- Monthly (or more frequent) conference calls
- Power point and position paper for members
- Web site at www.plca.net
- Bi-weekly SocketToMe newsletter
- Email alerts



PLCA Activities (2 of 2)

- Educating state regulators: NARUC boot camp; NARUC national conference
- Educating federal regulators: FCC briefings; congressional briefings; NTIA briefing; congressional Internet caucus
- Coordinating with other interest groups: PLC Forum; UPLC; HomePlug; Hams; Broadband Coalition; EEI



PLCA regulatory filings and policy papers

- Comments in FCC biennial review of emissions rules and other potentially relevant FCC proceedings
- Support for US approval of CISPR standards
- Joint report to FCC with UPLC
- Comments in BPL NOI (work in process)
- Model state broadband act (work in process)



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Q&A about the PLCA



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Market Status of PLC in USA

Status of PLC Testing in USA

- Numerous tech field trials
- Tech vendors proving FCC Part 15 compliance
- Commercial trials just beginning
- Core biz apps getting short shrift

Future of PLC Deployment in USA

- FCC has endorsed PLC, but . . .
- Most utilities still skeptical
- Tech R&D led by start-ups, not big vendors
- Serious capital not yet available
- Pundits doubtful about market & technology
- About to turn the corner?



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Q&A on USA Market Status



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Regulatory Position of PLC in USA

Regulation of emissions in USA

- Exclusive FCC jurisdiction
- Some vendors comply with existing FCC rules
- Numerous FCC experimental licenses granted to utilities and tech vendors
- FCC NOI on BPL intended to help industry
- Limited data to support FCC's effort
- Wait and see on NOI comments

Regulatory classification of PLC in USA

- Joint FCC/PSC jurisdiction
- BPL likely to be “information service” but . . .
- VOIP might be “telecom service”
- States more aggressive than FCC to regulate
- Telecom classification has benefits and burdens



Pole attachment rules in USA

- Either FCC or PSC jurisdiction (but not both)
- Relationship to PLC is not settled
- Rules require nondiscriminatory access for telco/cable
- Rules also require cost attribution by utility affiliates
- Federal rules apply to poles, ducts, conduits & Right-of-Ways
- Some state rules apply to wires



Rules re transfer/encumbrance of regulated electric utility assets in USA

- Exclusive PSC jurisdiction
- Only apply in some states
- Apply both to affiliates and non-affiliates
- States interpret differently: e.g. CA is -; IN is +
- Impact on PLC is not settled
- Model state broadband act?



Rules re transactions between electric utilities and their affiliates in USA

- Exclusive PSC jurisdiction
- Apply in every state (by statute, rule or order)
- Definitions of affiliate differ widely
- Rules differ widely, but may disadvantage PLC
- Potential PSC back door “windfall profits tax”
- Model state broadband act?



Public right-of-way issues in USA

- Mixed federal/state/local jurisdiction
- Feds and states want broadband deployment
- Locals want tax revenues and control over RoWs
- Impact on PLC is not settled
- Some states moving process from local to state
- Model state broadband act?



Private right-of-way issues in USA

- Exclusively state law
- Impact on PLC is not settled
- But some easements may be insufficient
- Condemnation rights may be limited
- And legislative solutions are politically difficult
- Practical solutions?



Other regulatory issues in USA

- Open access: to wires? to PLC platform?
- Universal service: benefit? burden?
- Customer privacy: electric? PLC?
- Network security
- Number portability? domain name portability?



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Q&A on USA Regulatory Position



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