

  
**Howard County**  
*Internal Memorandum*

**Subject:** Proposed Fee Changes for Right-of-Way Utility Construction Permits

**To:** Lonnie R. Robbins  
Chief Administrative Officer

**Through:** Thomas Meunier   
Public Works Department (DPW) Director

**From:** John Seefried   
Assistant to the DPW Director

**Date:** December 17, 2021

The Department of Public Works has worked with the County's vendors, considered the County's costs and proposes revisions to the fee schedule as described below.

The Annual Fee for Use of Howard County Right-of-Way is proposed to be changed to \$1 per year for permitted wireless facility with solely above ground facility (antenna only, no underground cables). Today, there are approximately a dozen communication utility companies that pay the \$25,000 per year annual fee. They will continue to pay the \$25,000 amount. Each Wireless Carrier seeking to placing wireless facilities (distributed antenna system) on County Street Lights will enter into a \$1 annual fee Right-Of-Way Agreement. The Public Works Department requires a Right-of-Way Agreement to establish legal responsibility for the construction work in the County Right-of-Way. Typically, the Right-of-Way Agreement has been issued to utility companies that are recognized by the Public Service Commission. By Federal Law, Wireless Carriers cannot be part of the Public Service Commission. The \$1 fee allows the Wireless Carriers to enter in a Right-of-Way Agreement that provides; hold harmless language, permit parameters, restoration responsibility, financial security, etc. Wireless Carriers (installing and controlling the antenna on the County Street Light) will continue to rely on Utility Companies (installing and maintaining the communications and power cables and signals).

There is no fiscal impact for the \$1 fee, because existing utility companies will continue to pay the \$25,000 amount, and Wireless Carriers previously were not eligible for agreements. In the future the fiscal impact will be an additional annual revenue of \$1 per Carrier.

The Permit Fee for Street Light Attachment is proposed to increase from \$1800 to \$3000 to compensate the County for the salary, fringe benefits and, mileage of staff and consultants reviewing and inspecting construction improvements supporting wireless facilities (antenna on County Street Light).

Presently, there is no fiscal impact for the \$1200 fee increase, because there are no active or pending permits. In the future the fiscal impact will be additional one-time revenue of \$1200 per proposed antenna on a County Street Light.