

Guidelines for Use of Poles, Ducts, Conduits and Similar Facilities Owned
by Public Utilities
(In case of any inconsistency between the Japanese and English versions, the
Japanese version shall prevail.)

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The Ministry of Internal Affairs and Communications established the Guidelines for Use of Poles, Ducts, Conduits and Similar Facilities Owned by Public Utilities in line with the policy of a Joint Meeting of the IT Strategy Council and the IT Strategy Headquarters for the facilitation of laying transmission lines. The Guidelines shall function as a managerial standard for the authorization and arbitration of negotiations on rights-of-way, as stipulated under Article 128, Paragraph 1 of the Telecommunications Business Act (Act No. 86 of 1984).

(Basic Concept)

- Article 1. If an approved telecommunications carrier (hereinafter referred to as a “carrier”) is provided with utility poles, conduits, ducts, tunnels, tower, and other facilities (except for administrative estates; hereinafter referred to as “facilities”) by the owners of the facilities (If there is an entity which is using above-mentioned facilities based on titles other than ownership, that person and the holder; hereinafter referred to as a “facilities holder”) for the carrier’s installation of lines or antennas for approved telecommunications business, the facilities holders and the carrier should refer to the Guidelines for the standard ways of procedures to be followed in order to facilitate the installation of lines etc. by carriers and promote deployment of fiber-optic networks that are essential to the ultra high-speed Internet, thereby improving users’ benefits and people’s convenience.
2. Telecommunications carriers, electricity utilities, railway business operators, and other public utilities shall fall under the category of facilities holders of facilities that can be used to install lines (except for a bundling facilities holder as defined under Article 14, Paragraph 1 and a branch line holder as defined under Article 15; the same shall apply hereinafter). Furthermore, telecommunications carriers shall also fall under the category of facilities holders of facilities that can be used to install antennas.

3. The provision of towers and other facilities for installing antennas shall be applicable only to cases where the facilities are provided to a carrier who intend to install antennas for base stations for mobile phone.
4. Generally, the following items shall be observed in providing the facilities.
 - i. If a carrier submits an application for the provision of facilities, a facilities holder shall provide the facilities on equal and fair conditions, unless such access thereto obstructs their own business or against the provisions of the Cabinet Order Concerning Wire Telecommunications Facilities (Cabinet Order No. 131 of 1953), the Radio Act (Act No.131 of 1950), the provisions of other statutes, rules, and regulations on such facilities (hereinafter referred to as “statutes, rules, and regulations on facilities”), the Road Act (Act No. 180 of 1952), or the provisions of other statutes, rules, and regulations on the management of public property (hereinafter referred to as “statutes, rules and regulations on public property”) (basic principles of fairness).
 - ii. A facilities holder shall avoid prejudicial treatment because of investment relations or others when providing a carrier with the facilities (basic principle of nondiscrimination).
 - iii. A facilities holder shall publicly show the terms and conditions on the provision of the facilities beforehand (principle of transparency).
 - iv. A facilities holder shall endeavor to simplify and streamline procedures related to the provision of facilities (principle of efficiency)

(Period of Response for a Survey, Etc.)

Article 2. If a carrier applies for a survey of facilities, a facilities holder shall respond as promptly as possible with regard to a decision to accept or reject access thereto, and if the number of applications is within the normally anticipated number, the facilities holder shall respond concerning the decision within two months (If an inadequacy in formalities, etc. is pointed out, the period shall be from the time it is pointed out to the time the carrier submits an amended application based on what pointed out, plus two months. The same shall apply in the next paragraph.) in principle.

2. If a facilities holder cannot respond within two months to accept or reject the provision thereof, the facilities holder shall notify a carrier in writing or by an electromagnetic method, such as e-mail, by stating the reason to that effect.
3. Expenses incurred for the surveys shall be appropriate based on the costs. A carrier shall bear the cost when a facilities holder presented a breakdown of expenses, including personnel costs (i.e., the hours of work, the number of workers, and work unit cost), traveling expenses, depletion expenses on

machines, tools, etc.

(Reasons for Refusal to Lease)

Article 3. If a facilities holder receives an application for the use of the facilities from a carrier, the facilities holder shall in principle not refuse the application, except in cases cited below:

- i. There is actually no space in the section and the area where the use of the facilities is desired.
- ii. A facilities holder is scheduled to use all the facilities within five years (If a facilities plan (If there is a facilities plan that has been revised with consideration of the latest demand forecast or other indicators, that facilities plan. The same shall apply in this article.) for a longer period has been drafted in accordance with laws and regulations, that period. The same shall apply in this article.) and the business year for which the use of the facilities is scheduled has been expressly specified in the facilities plan.
- iii. A facilities holder has a plan for the major renovation or relocation of their facilities within five years and the business year for which the renovation or relocation is scheduled has been expressly specified in the facilities plan.
- iv. A facilities holder intends to replace the poles with underground facilities within five years and the business year for which the replacement with underground facilities is scheduled has been expressly specified in the facilities plans.
- v. Telecommunications line facilities that a carrier intends to install do not conform to technical standards of a facilities holder or if there are not defined in technical standards, the installation of the equipment will make it difficult or highly possibly difficult for the facilities holder to perform the construction or maintenance of the facilities.
- vi. There were contracts pertinent to expense allocation, usage periods, and other usage conditions not actually performed in the past because of reasons attributable to a carrier, or there is a high probability of the carrier's serious inability to perform the same or the performance of the same will become impracticable and no relief may be possible.
- vii. The installation of telecommunications line facilities that a carrier intends to conduct does not satisfy the conditions of statutes, rules, or regulations, or the carrier or a facilities holder will have difficulty or highly likely have difficulty in acquiring permits (including permits for amendments) for rights-of-way and similar usage of roadways or in receiving amended permits and other licenses for rights-of-way while the use of the facilities are subject to the provisions of statutes, rules, and regulations on public

property.

viii. In addition to the condition specified in vi, there was nonfulfillment of the obligations to maintain confidentiality, bans on usage that is outside the scope of the objective, and other items stipulated in contracts because of reasons attributable to a carrier in the past, or there is a high probability that there will be serious nonfulfillment of contracts or other defaults where no relief will be practical.

ix. In addition to the preceding items, a facilities holder has difficulty or will highly likely have difficulty in providing public services.

2. If a facilities holder does not accept a carrier's application for the use of the facilities because the application falls under any of the conditions specified in the preceding paragraph, the facilities holders shall notify the carrier in writing or by electromagnetic means, such as email, of reasons why the application is not accepted.
3. If a facilities holder does not accept a carrier's application for the use of the facilities by indicating the only one reason that the application falls under the category of reasons for refusal to lease as specified in Items ii through iv of the preceding paragraph and where the period from the start date of use planned by the carrier to the start date of the business year for which the usage, renovation, or relocation of the facilities or replacement of the facilities with underground facilities (hereinafter referred to as "scheduled date of usage etc.") that have been expressly indicated in the facilities plan is in excess of one year (include the case not exceeding one year if the reason of the carrier's application for the use is temporary use by temporary works due to replacement of the facilities with underground facilities (limited to the case that drilling of the road or permanent remodeling of manholes are unnecessary)), the facilities holder shall show the carrier in the notification under the preceding paragraph that access to facilities will be possible only for the period up to the scheduled date of usage etc., unless it obstructs the security or confidentiality of management information or the protection of customer proprietary information.
4. If a facilities holder is requested to give specific reasons for not accepting a carrier's application, the facilities holder shall respond to the extent not obstructing the security or confidentiality of management information or the protection of customer proprietary information.
5. In the case of inquiries of the available time of the facilities from a carrier whose application for the use of the facility has been approved, a facilities holder shall endeavor to answer the specific progress situation, future prospects, etc. as much as possible. A carrier shall endeavor to avoid

inquiries as much as possible with consideration of the administrative burden on a facilities holder if it is recognized that the work is progressing according to the normally assumed schedule.

(Routine and Repeated Applications for Using Facilities)

Article 3-2. If a facilities holder receives or expects to receive routine and repeated applications from a carrier for the use of facilities of service lines using optical fiber, the facilities holder shall endeavor to simplify and streamline a carrier's procedure to receive provision of the facilities.

2. In the case referred to in the preceding paragraph, a facilities holder shall consult with the carrier on the specifications and construction methods of facilities and other matters being common to the application.
3. With respect to the matters subject to the consultation set forth in the preceding paragraph, a facilities holder shall endeavor to specify basic matters as stipulated in Article 13, Paragraph 1, Item ix for the simplification and efficiency improvement of procedures concerning the routine and repeated applications for the use of facilities of service lines using optical fiber.

(Leasing Period)

Article 4. The leasing period shall in principle be five years.

2. If an application for the use of facilities is limited until scheduled date of usage etc and the plan concerning relocation of telecommunications line facilities of a carrier after scheduled date of usage etc is neither sure nor reasonable, it shall be deemed to fall under the category of reasons for refusal to lease as stipulated under Article 3, Paragraph 1, Item vi.
3. If a facilities holder provides the facilities limitedly until the scheduled date of usage etc and the plan as referred to in the preceding paragraph is not implemented certainly, it shall be deemed to fall under the category of reasons for cancellation of the contracts as stipulated under Article 11, Paragraph 1.
4. If the use of facilities is governed by statutes, rules, and regulations on public property, a facilities holder shall fully consider the provisions concerning the period of occupancy of the public property.

(Work and Maintenance Rules)

Article 5. The design and execution of work on installing a carrier's telecommunications line facilities or work on the maintenance of the facilities in facilities provided by a facilities holder shall be carried out by the facilities holder or those designated by the facilities holder, in principle, for the purpose of ensuring security and prevention of accidents. If the assurance measures

for ensuring security and preventing accidents and measures for ensuring the clarification of responsibilities instructed by a facilities holder are taken, however, the facilities holder shall accept a carrier's arrangements for design, construction, or maintenance work in compliance with the demands from the carrier.

2. If a facilities holder does not think that the assurance measures and responsibilities for ensuring security and preventing accidents are expressly defined and reject a carrier's design, execution, or maintenance work, the facilities holder shall notify the carrier of reasons for the facilities holders' determination in writing or by electromagnetic means, such as e-mail.
3. With regard to the maintenance of telecommunications line facilities installed in the facilities provided by a facilities holder, operation rules shall be expressly stated in contracts on the provision of the facilities.
4. If the provision of facilities gives rise to a necessity for the renovation of the facilities, a facilities holder may request a carrier to bear the costs pertaining to the design or execution of the work. In that case, if a facilities holder receives a request from the carrier for reasons why the work is necessary or for the basis of the cost calculation, the facilities holder shall respond to the request to the extent that it does not obstruct confidentiality of managerial information.
5. If the telecommunications line facilities installed in the facilities leased by a facilities holder become unnecessary, a carrier shall promptly remove the telecommunications line facilities from the facilities.

(Remuneration for Leasing)

Article 6. The original cost of facilities usage charges shall in principle be calculated by adding a total of outside capital costs, equity capital costs, and tax on profit to the depreciation expenses and maintenance and operating costs. A facilities holder may request a carrier to bear the proper facilities usage charges based on the cost.

2. In the actual calculation of the facilities usage charges under the preceding paragraph, the calculation shall be made by using either one of the formulas listed in the separate table or other fair and reasonable method.
3. A facilities holder shall notify a carrier of the usage charges and the basis of the cost calculation for the facilities for which application was submitted at the time as described in the standard operating procedures as defined under Article 13, Paragraph 1.

(Defrayal of Relocation Costs, Etc.)

Article 7. Advance notification and relocation costs in the case that a need

arises to remove or relocate facilities provided due to special circumstances of a facilities holder or a request from a third party with legitimate interest shall be expressly specified in the contract on the provision of the facilities. In that case, the same shall apply to advance notification and relocation costs on the removal or relocation of a carrier's telecommunications line facilities.

2. If it is necessary to remove or relocate the facilities provided or a carrier's telecommunications line facilities installed in the facilities due to the circumstances of a facilities holder or a request from a third party with legitimate interest, the facilities holder shall promptly notify the carrier of that effect.
3. If a carrier requests a facilities holder to stop providing the facilities for reasons attributable to the carrier, the carrier shall restore the facilities to the status quo ante at the their own expenses.

(Procedures in the Event of Accidents or Disasters)

Article 8. Procedures in the case that facilities to which access is currently provided have been damaged as a result of an accident or disaster shall be subject to contract on the provision of the facilities, if the procedures is provided in the contract.

(Renewal Rules)

Article 9. If a facilities holder receives an application from a carrier for the continued use of the facilities, the provisions of Articles 2 through 8 shall be applied mutatis mutandis.

2. If an automatic renewal provision (meaning a provision specifying that the contract continues for a certain period unless either party expressly indicates their intention of refusing to renew the contract) is specified in a contract on the provision of facilities, a facilities holder shall, when renewal of the contract has been made difficult due to a cause as listed under any of the conditions specified in Article 3, Paragraph 1, take measures necessary for the smooth provision of telecommunications services such as notifying a carrier of that effect by no later than six months prior to the termination of the contract period or notifying immediately after the occurrence of the cause.

(Points to Be Complied with upon Using Facilities)

Article 10. A carrier shall install telecommunications line facilities for the use of telecommunications business to facilities provided from a facilities holder.

2. Upon installation of telecommunications line facilities in the facilities provided by a facilities holder or using the facilities, a carrier shall do so in accordance

with the statutes, rules, and regulations on facilities, technical standards as appropriately provided by the facilities holder and procedures as appropriately provided in contracts.

3. Upon installation of telecommunications line facilities in the facilities provided by a facilities holder or use of the facilities, a carrier shall proceed appropriately with necessary arrangements with the owners of the land (If there is an entity which is using above-mentioned land based on titles other than ownership, that person and the owners) where the facilities are built or over which the facilities runs, such as various procedures concerning the statutes, rules, and regulations on public property. In addition, a facilities holder shall proceed appropriately with necessary procedures pursuant to the statutes, rules, and regulations on public property in letting a carrier use their facilities.
4. Upon installation of telecommunications line facilities in the facilities provided by a facilities holder or using the facilities, if there is a dispute with any third party for reasons attributable to a carrier, or if the carrier inflicts loss upon any third party, the carrier shall cope with the situation at their own responsibilities and expenses.

(Reasons for Cancellation of Contracts, Etc.)

Article 11. If a carrier is in breach of the Guidelines or a contract on the provision of facilities for reasons attributable to the carrier, a facilities holder may cancel the contract.

2. In addition to the provision of the preceding paragraph, a facilities holder may cancel the contract only if it has become necessary for the facilities holder to use the facilities to implement their public utility services and not be able to find substitute facilities because of a reason that could not be foreseeable at the date of the contract. In that case, for the smooth provision of telecommunications services, the facilities holder shall take necessary steps, such as giving a six-month prior notice in principle (If the leasing period is within one year, appropriate period provided in standard operating procedures is applied) of that effect or giving a notice stating that the contract will be canceled after a reasonable period, promptly after the occurrence of the said cause.
3. If the contract is canceled pursuant to the provisions of the preceding two paragraphs, a carrier shall promptly restore the facilities to the status quo ante and return them. However, if a compulsory removal provision (meaning a provision specifying when a carrier does not restore the facilities to the status quo ante despite a facilities holder's prior notice of cancellation by specifying a

reasonable period, the facilities holder may execute reinstatement on its own initiative) is stipulated in the contract on the provision of the facilities, the facilities holder may execute reinstatement on its own initiative in accordance with the compulsory removal provision.

4. In the case under the preceding paragraph, the carrier shall in principle bear the costs incurred for reinstatement in cancellation as based on the provision of Paragraph 1. In the case of cancellation based on the provision of Paragraph 2, the costs shall be defined expressly in the contract on the provision of the facilities.

(Disclosure of Information)

Article 12 Upon inquiry from a carrier on the availability of facilities (except for an application for a survey as defined in Article 2, Paragraph 1), a facilities holder shall respond to the carrier on the availability of the section or area. However, this shall not apply if it obstructs security of the facilities, confidentiality of managerial information, or protection of customer proprietary information. All costs of the response shall be borne by a carrier. The amount of cost shall be proper, and a breakdown including personnel costs (including the hours of work, the number of workers, and work unit cost), depletion expenses on machines, and tools, etc. shall be presented to a carrier.

(Preparation and Disclosure of Standard Operating Procedures Concerning Application Procedures for Leasing)

Article 13. A facilities holder shall prepare standard operating procedures concerning the use of facilities in conformance with the Guidelines and publicly show the following items concerning the provision of the facilities. Also, public disclosure shall in principle be on a website.

- i. Points of contact for an application where the provision of facilities can be received and relevant contact addresses
- ii. Procedures for the provision of facilities (procedures from an applications of a preliminary survey as involved in the provision of facilities (hereinafter referred to as "survey") to actual usage (including procedures on notification of facilities usage charges and the basis of the calculation as defined under Article 6, Paragraph 3))
- iii. Standard styles of an application forms, notifications, and other necessary documents, and types of documents to be attached thereto
- iv. Reasons for refusing provision of facilities
- v. Standard facilities usage charges and the basis for the calculation thereof
- vi. Standard period required from the time an application for a survey is

submitted to the time a decision to accept or reject access thereto is made (the standard period of response for a survey)

- vii. Methods of calculating costs on a survey for the provision of the facilities
 - viii. Standard period required from the time a survey application is submitted to the time the usage of the facilities commences
 - ix. Fundamental matters for the simplification and efficiency improvement of the routine and repeated applications procedures for the use of the facilities of service lines using optical fiber
 - x. In addition to those listed in the preceding item, necessary matters concerning the simplification and efficiency improvement of procedures concerning an application for the use of the facilities
2. If it is difficult to establish standard facilities usage charges as specified in Item v of the preceding paragraph, a standard period as specified in Item vi of the preceding paragraph, or a standard period as specified in Item viii of the preceding paragraph, these may be replaced with exemplification as based on the actual results in the past.
 3. If a facilities holder establish two or more points of contact for an application, the facilities holder shall in principle standardize the application procedures at all such points.
 4. If the details as specified in each item under Paragraph 1 vary from one point to another, each location shall prepare and publicly show the standard operating procedures in accordance with the provision of Paragraph 1.

(Bundling Cables)

- Article 14. If owners (If there is an entity which is using bundling facilities based on titles other than ownership, that person and the owners; hereinafter referred to as a “bundling facilities holder”) of facilities (limited to facilities installed on utility poles held by public utilities who fall under a facilities holder in the Guidelines; hereinafter referred to as “bundling facilities”) allowing the use of messenger wires that can be used for bundling cables (meaning a carrier’s practice of installing its telecommunications line facilities by bundling them to wired telecommunications facilities already installed on utility poles by prior laying entities (telecommunications carriers, cable television broadcasting facilities holders, and others; the same shall apply hereinafter); the same shall apply hereinafter) provide a carrier with the bundling facilities, Article 1, Paragraph 4, Items i and ii shall apply to standardized procedures to be observed by a bundling facilities holder and a carrier.
2. A carrier shall obtain consent from a facilities holder who owns poles with bundling facilities installed (hereinafter referred to as a “pole holder”), prior to

actual bundling.

3. If there is a request from a pole holder for consent as defined in the exceptional clause of Paragraph 9, a bundling facilities holder shall comply with it except when there are rational reasons for not doing so.
4. If a carrier applies for the provision of bundling facilities, a bundling facilities holder shall respond as soon as possible concerning the decision to accept or reject provision thereof.
5. If a bundling facilities holder receives an application for the provision of bundling facilities from a carrier, the bundling facilities holder shall in principle not refuse to lease the bundling facilities, except in cases where it falls under the following reasons:
 - i. A pole holder has not shown a need for bundling in their response to a carrier pursuant to the provisions of Article 2.
 - ii. Bundling cables lead to non-conformance to the technical standards of a pole holder.
 - iii. Bundling cables cause difficulty to the construction or maintenance by a bundling facilities holder, or there is a high probability thereof.
 - iv. The arrangement as defined in Paragraph 7 has not been fulfilled in the past due to reasons attributable to a carrier involved, or there is a high probability of a serious default or default beyond remedy.
6. A bundling facilities holder may request a carrier to bear reasonable charges of usage based on costs when they provide bundling facilities to the carrier. In that case, if there is a request for the basis for the calculation thereof from the carrier, the bundling facilities holder shall comply with the request.
7. A bundling facilities holder and a carrier shall fix the following and other necessary details prior to the bundling of the cables.
 - i. Leasing period
 - ii. Work and maintenance rules
 - iii. Leasing charge
 - iv. Cost burdens upon removal or relocation
 - v. Procedures in times of accidents or disasters
 - vi. Renewal rules
 - vii. Matters to be observed when using facilities (including matters concerning confidentiality)
 - viii. Reasons for canceling contracts
 - ix. Attribution of ownership of shared facilities
 - x. Arrangements for bundling with other carriers
8. In making a decision to lease poles by a pole holder, it shall not be construed to fall under the category of “there is actually no space” as defined in Article 3,

- Paragraph 1, Item i, except in cases where bundling of a bundling facilities holder and a carrier fall under the provisions of Item v of the same paragraph.
9. If a pole holder shows a need for bundling cables in their response to a carrier in accordance with the provisions of Article 2 and, as a result of failure to display the name or corporate name of a bundling facilities holder on the telecommunications line facilities of the bundling facilities holder, the carrier made an inquiry on the name or corporate name, the pole holder shall notify the carrier thereof. However, the same shall not apply in cases where the consent of the bundling facilities holder is not obtained for the notification.
 10. If a pole holder calculates usage charges for poles pertaining to the portion where two or more persons are bundling cables, the pole holder shall establish the pole occupancy ratio by taking the situation fully into account.

(Sharing of Branch Lines)

Article 15 If owners (If there is an entity which is using branch lines based on titles other than ownership, that person and the owners; hereinafter referred to as a “branch line holder”) of branch lines (limited to branch lines installed on utility poles held by public utilities who fall under facilities holders in the Guidelines; the same shall apply hereinafter) receive an application for the sharing of the branch lines, the branch line holder shall in principle not refuse the shared use of the branch lines, except in cases where it falls under the following reasons:

- i. Sharing branch lines lead to non-conformance to the technical standards of a pole holder.
- ii. The sharing of the branch lines will make it difficult or highly possibly difficult for a branch line holder to perform the construction or maintenance of all facilities, such as cases where the sharing of the branch lines will make the roots of the utility poles not withstand the tensile load of the branch lines (except for cases where the utility poles can withstand the tensile load of the branch lines as a result of modification work on the branch lines).
- iii. The arrangement as defined in Paragraph 3 has not been fulfilled in the past due to reasons attributable to a carrier involved, or there is a high probability of a serious default or default beyond remedy.
- iv. The installation of branch lines that a carrier intends to conduct does not satisfy the conditions of statutes, rules, and regulations on facilities, or the carrier or a branch line holder will have difficulty or highly likely have difficulty in acquiring permits (including permits for amendments) for rights-of-way and similar usage of roadways or in receiving amending permits and other licenses for rights-of-way if the sharing of branch lines are

subject to the provisions of statutes, rules, and regulations on public property.

2. If a branch line holder rejects an application for the sharing of branch lines because a carrier falls under any of the conditions specified in the items under the preceding paragraph, the branch holder shall notify the carrier of the reason why the application is not accepted in writing or by an electromagnetic method, such as e-mail.
3. In the case of sharing branch lines, a branch line holder may request a carrier to share road occupancy charges and other expenses on the branch lines (including all costs related to the designing and construction of renovation work in the case that it is necessary to carry out the renovation work on the branch lines in relation to the shared use). In that case, if there is a request for the basis for the calculation thereof from the carrier, the branch line holder shall comply with the request.
4. A branch line holder and a carrier shall fix the following and other necessary details prior to the sharing of branch lines.
 - i. Sharing period
 - ii. Work and maintenance rules
 - iii. Cost sharing for the shared use
 - iv. Cost burdens upon removal or relocation
 - v. Procedures in times of accidents or disasters
 - vi. Renewal rules
 - vii. Matters to be complied in sharing branch lines (including matters concerning confidentiality)
 - viii. Reasons for canceling contracts
 - ix. Attribution of ownership of shared branch lines
 - x. Arrangements for sharing with other carriers
5. A carrier shall provide necessary safety measures for the portion of shared branch lines attributable to the carrier.
6. The provisions of Article 10, Paragraphs 3 and 4 shall be applied mutatis mutandis to cases where a carrier shares branch lines.

(Installation of Cross Arms)

Article 16. With regard to a pole holders' acceptance or rejection of a carrier's application for leasing poles to set up cross arms and other parts for the installation of the carrier's telecommunications line facilities, the application shall not be deemed to fall under the category of "there is actually no space" as defined in Article 3, Paragraph 1, Item i, unless it falls under the condition specified in Article 3, Paragraph 1, Item v as a result of the

installation of the cross arms. The foregoing, however, shall not apply if the the pole holder installs such cross arms and parts at the pole holder's responsibility in order to be able to install the telecommunications line facilities by the carrier or install them as a part of renovation work under the provision of Article 5, Paragraph 4.

2. Upon receiving an application under the preceding paragraph, a pole holder may request a negotiation with a carrier, if the pole holders find reasonable circumstances, including the fact that the smooth implementation of bundling cables by the carrier is possible.
3. If it is necessary to conduct work to change the installation location of wire telecommunications facilities already installed on the utility poles by prior laying entities as a result of a carrier's installation of cross arms and other parts at the carrier's responsibility or a pole holder's installation of them for the installation of telecommunications line facilities of the carrier, the carrier shall bear the expense on the designing and installation of the work. In that case, if there is a request of the carrier for the basis for the calculation thereof, the entities who call for the expense shall comply with the request.
4. In the case referred to in the preceding paragraph, a pole holder shall notify the prior laying entities of a carrier's name or corporate name if the prior laying entities made an inquiry on them.

Supplementary Provisions

(Transitional Measures to Entities Covered)

Article 1. Public utilities falling under the category of facilities holders in the Guidelines shall for the time being be telecommunications carriers, electricity utilities, and railway business operators.

(Review)

Article 2. The Guidelines shall be examined on April 1 every year for the progress of the use of facilities and shall be reviewed according to the results of the examination. In addition, upon the review, a facilities holder should provide necessary cooperation, including the provision of reference materials.

Separate Table

1. $A=(Bx+C)\times(Dz/Dx)\times F$
2. $A=(Bx+C)\times(Ez/Ex)\times F$
3. $A=(Bx+C)\times(Ey/Ex)\times(Dz/Dy)\times F$

4. $A = \{Bz + Cx(Dz/Dx)\} \times F$
5. $A = \{Bz + Cx(Ez/Ex)\} \times F$
6. $A = \{Bz + Cx(Ey/Ex) \times (Dz/Dy)\} \times F$
7. $A = \{By \times (Dz/Dy) + Cx(Dz/Dx)\} \times F$
8. $A = \{By \times (Dz/Dy) + Cx(Ez/Ex)\} \times F$
9. $A = \{By + Cx(Ey/Ex)\} \times (Dz/Dy) \times F$

Note 1: The above symbols mean as follows:

- A Facilities usage charges
- Bx The total amount of depreciation costs pertaining to all owned facilities of the same type
- By The total amount of depreciation costs on all facilities of the same type in a given area
- Bz Depreciation costs on the facilities provided
- C The amount obtained after deducting a total amount of depreciation costs on all facilities held of the same type, from the original costs pertaining to all the facilities of the same type owned
- Dx The total quantity of all facilities held of the same type
- Dy The total quantity of all facilities held of the same type in a given area
- Dz The capacity of facilities to be provided
- Ex The total quantity of value of all facilities held of the same type
- Ey The total quantity of value of all facilities of the same type in a given area
- Ez The value of facilities to be provided
- F The occupancy ratio at a part on provision of facilities to be provided

Note 2: For the value of facilities, either re-procurement cost (estimated cost in cases where facilities are newly obtained), acquisition cost or net cost (a cost after deduction of accumulated depreciation costs from acquisition costs) may be used.

Note 3: With regard to original costs, depreciation expenses, re-procurement cost, acquisition cost or net cost, an approximation may be used when necessary (for example, when uniform facilities usage charges are established for a period exceeding one year, an approximation of the average value during the period based on reasonable forecast may be used

for depreciation expenses, etc.,).