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July 14, 2026

The Honorable Sandra O'Brien

Ohio Senate
1 Capitol Square
Columbus, Ohio 43215

Dear Senator O'Brien,

As directed by the Howland Township Board of Trustees, I am writing to convey the Board's concerns about the public safety impacts of installing underground fiber-optic infrastructure and to respectfully request your leadership in advancing legislative solutions that better protect Ohio's residents, critical infrastructure, and local communities.

This correspondence is transmitted pursuant to Resolution No. 2026-090, adopted by the Howland Township Board of Trustees on July 8, 2026, authorizing the Township Administrator to communicate the Board's concerns and legislative recommendations regarding underground fiber optic infrastructure installation safety.

While this correspondence is prompted by the Board's experiences in Howland Township, the concerns identified are not unique to our community. As broadband infrastructure continues to expand across Ohio, local governments throughout the state are experiencing similar challenges, including utility strikes, service interruptions, damage to public infrastructure, and growing concerns about public safety.

The Board of Trustees fully supports the expansion of broadband and recognizes the economic and technological benefits it provides to Ohio residents and businesses. However, the Board believes the current statutory framework places responsibility for managing the consequences of these projects on local governments while providing little authority to intervene when unsafe excavation practices recur.

Over the past several years, Howland Township has experienced numerous utility strikes during directional-boring operations conducted by multiple fiber-optic contractors and subcontractors. These incidents have disrupted electricity, water, natural gas, internet, and telecommunications

Howland Township Government Offices: 205 Niles-Cortland Rd. N.E. Warren, Ohio 44484
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services, created hazardous conditions for residents and emergency responders, and required substantial coordination by Township personnel despite our limited regulatory authority.

Because townships are often the first point of contact when these incidents occur, the Board believes local governments should possess reasonable authority to help protect public safety. Under current Ohio law, however, townships have little ability to require corrective action when repeated utility strikes or unsafe excavation practices become evident.

Following extensive discussions with Lumos and its contractors, the company has voluntarily agreed to implement enhanced safety measures intended to reduce utility strikes and improve construction practices. These include increased field supervision, improved contractor accountability, stronger communication with local officials and utility owners, expanded quality-control measures, and greater use of safer excavation techniques in high-risk areas.

The Board of Trustees commends Lumos for taking these proactive steps. However, the Board believes these practices should become the minimum statewide standard rather than remaining voluntary measures adopted by individual companies.

Given your leadership in the Ohio Senate and your longstanding commitment to local governments, the Board respectfully requests your assistance in initiating a comprehensive review of Ohio's utility protection and excavation laws to determine whether existing statutes adequately protect residents, utilities, and local communities.

Based upon the Board's experience, we respectfully recommend consideration of legislation that would:

- Provide Ohio townships and other local governments with limited emergency authority to issue temporary stop-work orders when repeated utility strikes, unsafe excavation practices, or imminent public safety hazards are documented until corrective actions have been completed.
- Require the use of Hydro Excavation (Hydrovac), Air Knife technology, or equivalent non-destructive excavation methods whenever work is performed within established tolerance zones surrounding underground utilities or other high-risk locations
- Strengthening oversight of the Ohio Utilities Protection Service (OUPS) by establishing enhanced quality assurance standards, requiring proper locating equipment and verification procedures, and increasing accountability among utility owners and contract locating services.
- Establish uniform statewide excavation safety standards applicable to every fiber optic provider, contractor, and subcontractor operating within Ohio.
- Increase contractor accountability through enhanced reporting requirements and corrective action procedures following repeated utility strikes.

The Board's objective is not to impede broadband deployment. Rather, the Board believes Ohio can continue expanding high-speed internet access while ensuring that public safety remains the foremost priority. Thoughtful legislative improvements can achieve both objectives.

The Howland Township Board of Trustees appreciates your leadership and respectfully requests the opportunity to work with you, your staff, representatives from the Ohio Utilities Protection Service, utility providers, and fellow local government officials to develop meaningful legislative solutions that strengthen public safety throughout Ohio.

Thank you for your continued service to the citizens of Ohio and your dedication to strengthening local government.

Respectfully,

HOWLAND TOWNSHIP BOARD OF TRUSTEES

By:

James Pantalone

Township Administrator