**Section 315.30 Procedure**

a) Where consent and approval of the Commission to a pole attachment or conduit agreement is required by Section 7-102 of the Act and the parties thereto have agreed to the annual rate specified in such agreement, the regulated entity's petition for consent to and approval of the agreement shall be accompanied by verified statements of concurrence as to the rate, signed by a representative of each party. Such concurrence will be sufficient proof that the rate provided therein is just and reasonable.

b) Where consent and approval of the Commission to a pole attachment agreement is required by Section 7-102 of the Act and the parties thereto have not agreed to an annual pole attachment rental rate, the regulated entity's petition for consent to and approval of the agreement shall be accompanied by an exhibit or exhibits showing that the rate proposed by the utility is equal to the rate resulting from the formula set forth in Section 315.20 or if there is a deviation from the formula, a statement explaining any deviations therefrom. No such exhibit need be filed if a concurrence such as that described above is filed. A rate equal to the rate resulting from the formula set forth in Section 315.20 shall be presumed just and reasonable. The burden of proving such a rate unjust or unreasonable shall be on the party objecting to such rate.

(Source: Amended at 18 Ill. Reg. 676, effective February 1, 1994)