

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket DT 08-146

segTEL, Inc.

Request for Arbitration Regarding Access to Utility Poles

LANDOWNER NOTIFICATION

Property located at **1282 Route 11**

Map Number: 104 Block Number: 84 Lot ID (if applicable)

Landowner of Record for the above-named property:

[REDACTED]
[REDACTED]
[REDACTED]

PLEASE TAKE NOTICE that you are receiving this Landowner Notification because your rights and interests as the record owner of the private property identified above may be affected by the outcome of this proceeding now pending before the New Hampshire Public Utilities Commission (the "Commission"). This notice is being provided to you because town property tax records identify you as the owner of the property. IF YOU ARE NOT THE CURRENT OWNER OF THIS PROPERTY, YOU ARE REQUESTED TO PLEASE NOTIFY THE COMMISSION REPRESENTATIVE IDENTIFIED BELOW IMMEDIATELY SO THAT THIS NOTIFICATION CAN BE DIRECTED TO THE CURRENT OWNER.

EXPLANATION OF COMMISSION PROCEEDING

The pending proceeding involves a request made by segTEL, Inc. ("segTEL"), a competitive local exchange carrier in New Hampshire, for permission to attach and run fiber optic telecommunications cable on certain utility poles owned by Public Service Company of New Hampshire ("PSNH"), a New Hampshire electric utility. The approximately 100 utility poles involved are part of a 34,500 volt (34.5 kV) PSNH power line which runs through a 100 foot wide PSNH right-of-way corridor on private property in the Towns of Sunapee and New London, New Hampshire. It has been determined that your property is one of the properties where part of the PSNH right-of-way corridor is located. One or more of the utility poles involved may also be situated within the PSNH right-of-way on your property.

The fiber optic cable which segTEL wishes to install is for telecommunications purposes, will be owned, operated and maintained by segTEL, and will be used entirely by segTEL in its business of providing telecommunications and information services. segTEL's use will be entirely independent of PSNH's use of PSNH's poles and the right-of-way for PSNH's electric utility business.

The questions before the Commission include whether PSNH owns and controls rights under its private property easements in question pursuant to applicable federal and state law sufficient to allow segTEL's installation, whether segTEL is required to obtain new easements or other rights from affected private property owners independent from PSNH's rights for segTEL's installation and use, whether private property easements originally granted for electrical distribution are compatible with the installation of fiber optic facilities, how PSNH's federal and state law obligations to provide access to companies such as segTEL must be interpreted in light of private property matters, and whether the language of any pre-existing easements expressly allow or prohibit PSNH's ability to grant licenses for attachments of this sort. The Commission has determined to take jurisdiction of the matter under its jurisdictional authority to hear and resolve complaints against public utilities under NH RSA 365:1 and regarding pole attachment matters under NH RSA 374:34-a.

YOUR RIGHTS

The Commission has determined that, because of the issues raised in this proceeding regarding the intent, scope and permissible uses of PSNH's existing easement rights on your property, you have a right to notice of this proceeding, and the opportunity to be heard. Under the law and the Commission's rules of procedure, you have a right to participate in this proceeding by either (1) requesting to intervene in the proceeding as an interested party by filing a written request for intervention, or (2) making your position on the subject matter known to the Commission by filing a written comment or providing your comment at the public informational hearing to be held in this proceeding as explained below. Intervention will allow you to fully participate in all aspects of the proceeding as a party. You do not need to be represented by a lawyer to intervene as a party, or to provide your comment. If you wish to request intervention, you are requested to do so by not later than the date of the public informational hearing specified below. Written requests for intervention or written comments should be mailed to the Commission, to the attention of Executive Director Debra A. Howland, at the address below. Please include the docket number "DT 08-146" on all correspondence.

PUBLIC INFORMATIONAL HEARING

The Commission intends to hold a public informational hearing regarding this proceeding on _____ 2009, at _____, at _____ P.M., at which time the Commission or its designee will receive any public comment from any of the affected landowners in this matter. Any questions regarding this notice or the proceeding prior to the public informational hearing may be directed to the following Commission representative: [Identify and provide contact information].

A copy of the tax maps that outline segTEL's proposed route for its fiber installation is on file in the offices of the Public Utilities Commission. All public material related to this proceeding is also available on the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2008/08-146.htm>

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made a least one week prior to the scheduled event.

Dated: _____, 2009

NEW HAMPSHIRE PUBLIC UTILITIES
COMMISSION

By: _____
Debra A. Howland, Executive Director and
Secretary
21 South Fruit Street, Suite 10
Concord, NH 03301-2429