

STATE OF NEW HAMPSHIRE

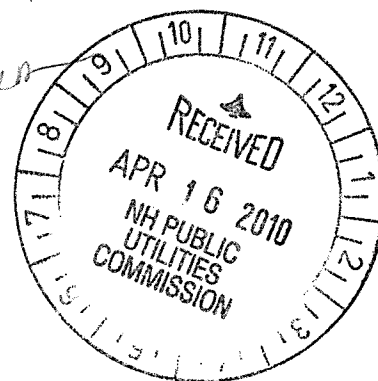
Inter-Department Communication

DATE: April 16, 2010
AT (OFFICE): NHPUC

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TO: Debra A. Howland, Executive Director

SUBJECT: DM 05-172 Generic Investigation into Utility Poles
Docket Status



As you are aware, Docket No. DM 05-172 (the "Poles Docket") was opened in 2005 pursuant to a memorandum from Staff outlining various issues that had been raised concerning utility poles. Each of the issues raised has since been addressed or will be addressed through either rulemaking, memoranda of understanding, or formal Commission proceedings.

The issues raised in the Poles Docket, as developed with parties and intervenors through numerous technical sessions, included the following:

1. Emergency Management
 - a. Call-Out Procedure
 - b. Timely Removal of Hazardous Poles
 - c. Intra-Utility Communications and Notification
 - d. Inter-Utility Communications, Notification and Coordination
 - e. Utility Communications with Others
 - f. Emergency Response Procedures
2. Joint Ownership Responsibilities for Operation and Maintenance
 - a. Pole Line Trimming
 - b. Inspection of Poles by Utilities
 - c. Pole Maintenance
 - d. Timely Placement and Removal of Poles
 - e. Double Poles
 - f. Inter-Company Communication and Notification
3. Utility Relationships with Governmental Entities and their Subcontractors
 - a. Attachments/Reservation of Space
 - b. Licensing

- c. Public Works Projects
 - d. Management of Rights of Way (State & Municipal)
- 4. Retail Customer Relationships
 - a. New Service Provisioning
 - b. Private Property Construction Practices and Charges
 - c. Service Upgrades and Changes
- 5. Competitive Issues
 - a. Who sets poles in VZ maintenance area where VZ doesn't have a customer?
 - b. Order of Attachments in Communications Space
 - c. Make-Ready for New Attachments
 - d. Whether and How Pole Attachment Practices Affect Competitive Market

The majority of issues pertaining to Emergency Management, Joint Ownership Responsibilities, and Retail Customer Relationships were addressed through various memoranda of understanding concluded among parties to Docket No. DT 07-011, Verizon's Transfer of Assets to FairPoint Communications. Emergency Management issues were addressed in the Commission's after action review of the December 2008 ice storm, as well. Issues pertaining to Utility Relationships with Governmental Entities and their Subcontractors, and Competitive Issues were addressed through the pole attachments rulemaking in Docket No. DRM 08-004. Issues concerning municipal pole licensing, reservation of pole space, management of rights of way, and public works projects were discussed at length through the Poles Docket technical sessions and addressed in the course of the pole attachment rulemaking before JLCAR to the extent possible.

In light of the above, Staff recommends that Docket No. DM 05-172 be closed.