

# Town of Hampton



November 10, 2005

Debra A. Howland  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301



Re: DM 05-172

Dear Ms. Howland,

Enclosed please find for filing an original and eight copies of the Town of Hampton's Preliminary Statement of Position, along with a computer diskette version of this letter and the Statement per Commission rule 202.08.

Thank you for your cooperation with regard to this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Mark S. Gearreald'.

Mark S. Gearreald, Esq.  
Hampton Town Attorney

Cc: James S. Barrington, Town Manager  
Board of Selectmen, Town of Hampton  
See attached service list

**The State of New Hampshire**  
**Before the New Hampshire Public Utilities Commission**  
**DM 05-172**

**TOWN OF HAMPTON'S PRELIMINARY STATEMENT OF POSITION**

NOW COMES the Town of Hampton, and by way of Preliminary Statement of Position for the Prehearing Conference herein says as follows:

1. At Hampton Beach, there are a number of poles (7) in the King's Highway area and in the Ocean Boulevard area (10) where new utility poles have been in place for some time where the old poles are still in place with the tops cut off (where electrical wires had been located) but with communication wires still in place. The continued presence of the unnecessary old poles is not only unsightly, but also is potentially dangerous depending on the old poles' condition and location.
2. Both in the past and currently, the Town of Hampton has been involved in major public works construction projects involving the need for shared use utility poles to be relocated.
3. In the fall of 2000, the Town was involved in a project being coordinated by the State of New Hampshire wherein an area of Route One (Lafayette Road) in Hampton was being widened and reconstructed. As part of that effort, a number of shared use utility poles had to be relocated. According to the Project Manager for the Contractor (Severino Trucking Co., Inc.), Verizon was so late in doing their work on Route One that Severino gave them the whole winter to finish up the relocation after

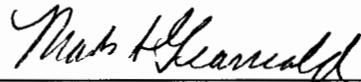
Severino had left for the season. When Severino returned in the spring of 2001 on the agreed upon date, Verizon was again holding up the work. Severino then had to abandon the job for another 5 weeks as a result of Verizon's delays.

4. Currently, the Town of Hampton is implementing a \$12 million dollar Beach Infrastructure Improvement project, whose aim is to upgrade the infrastructure to stimulate the development of a year-round resort community. This project is being financed to a major extent with State Revolving Fund monies, as well as by bonds. This commitment by Hampton's taxpayers to upgrading the infrastructure at the Beach is designed to promote the Town's major industry -- tourism, and the positive impact of this development will be felt not only regionally but on a State-wide level.
5. Because widening of roads and installation of sidewalks are integral components of this multi-million dollar project, relocation of shared use utility poles is necessarily going to be occurring.
6. If the process of relocating these utility poles is delayed by Verizon New Hampshire in the manner that has occurred in other parts of the Town of Hampton, such delays would jeopardize not only the completion time for the entire project, but also the ability of the project to be completed within budget. Timing for completion of this project is critical in that delays would result in construction work being pushed into the summer months, when tourists and residents alike come to the Beach for recreation; the viability of the summer season for local business that depend on this short season for their survival could thereby be severely impacted.
7. Accordingly, the Town of Hampton has a substantial interest in the issue of shared use poles and their replacement and servicing, and in preventing major delays in such work from occurring.

8. The Town of Hampton has thus sought to intervene herein pursuant to the invitation to do so from the Commission in its Order of Notice dated October 21, 2005, and seeks to have the Commission act quickly to establish enforceable and reasonable time requirements for relocation of utilities from the shared use poles being replaced to the new poles, and for removal of the old poles once the utility lines have been transferred.

Respectfully submitted,  
The Town of Hampton

Dated: November 10, 2005

By:   
Mark S. Gearreald, Esq.  
Hampton Town Attorney

**Certificate of Service**

I hereby certify that I have this 10<sup>th</sup> day of November, 2005 mailed via U.S. mail a copy of the foregoing Preliminary Statement of Position to the entities and individuals appearing on the attached service list.

  
Mark S. Gearreald, Esq.

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