

**THE STATE OF NEW HAMPSHIRE**  
**BEFORE THE**  
**PUBLIC UTILITIES COMMISSION**  
**DE 21-020**  
**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE**  
**d/b/a EVERSOURCE ENERGY and**  
**CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND**  
**COMPANY, LLC d/b/a CONSOLIDATED COMMUNICATIONS**  
  
**NECTA's Objection and Motion to Modify Tariff Language**

NOW COMES Intervenor New England Connectivity and Telecommunications Association, Inc. ("NECTA")<sup>1</sup>, by and through its attorneys, and respectfully objects to, and moves to modify, the tariff language filed by Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource") on May 12, 2023 in the above-captioned docket. In support of this Objection and Motion, NECTA states as follows:

1. On May 12, 2023, Eversource filed Tariff NHPUC 10, Original Page 22A ("the Tariff") "[i]n compliance with the Commission's Order No. 26,729" in the above-captioned docket. *Letter from Scott R. Anderson, Manager, Rates to Daniel C. Goldner, Chairman.*

2. Order No. 26,729 states that the Commission interprets the Purchase Agreement that is the subject of the instant docket "to mean that Eversource shall **bill in Consolidated's place** if and until such time as it establishes an updated and unified pole attachment rate." (Emphasis added.) Order No. 26,729 (Nov. 18, 2022), p. 21.

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<sup>1</sup> As of October 19, 2022, NECTA has rebranded and changed its name from the New England Cable and Telecommunications Association to the New England Connectivity and Telecommunications Association.

3. The Tariff states in part as follows: “Pole attachment revenues for formerly Consolidated owned poles will be tracked separately and **billed at the Consolidated rate at the time of closing** until a full pole attachment survey is conducted and, or a single, unified rate is applied to all poles.” (Emphasis added.) Tariff NHPUC 10 - Electricity Delivery, Original Page 22 A, Section 32A (c).

4. The Tariff language emphasized in paragraph 3, above, is problematic because it fails to recognize that Consolidated’s pole attachment rates are disputed and the subject of a motion for rehearing that is pending in Docket DT 22-047. Because Consolidated’s pole attachment rates may change from those that were in effect at the time of the closing of the pole asset transfer transaction between Eversource and Consolidated, NECTA objects to the Tariff language emphasized in paragraph 3, above.

5. The Commission has recognized that “Consolidated can only transfer to Eversource its actual interests in its pole attachment fees, which may be impacted by a separate regulatory proceeding” (*i.e.*, Docket DT 22-047). Order No. 26,772 (Feb. 8, 2023), p. 9.

6. In view of the foregoing, NECTA respectfully requests that paragraph (c) of section 32A of the Tariff be modified to reflect that the pole attachment rates billed by Eversource for the transferred poles must be consistent with the pole attachment rates resulting from a final order resolving the issues raised in DT 22-047 rather than Consolidated’s rates at the time of the closing of the pole asset transfer transaction.

7. NECTA respectfully requests that the Commission order Eversource to modify the second sentence in paragraph (c) of section 32A of the Tariff to read as follows: Pole attachment revenues for formerly Consolidated owned poles will be tracked separately and billed at the Consolidated rate as determined by a final order resolving the issues raised in Docket DT

22-047 until a full pole attachment survey is conducted and, or a single, unified rate is applied to all poles.

WHEREFORE, NECTA respectfully requests that the Commission:

1. Order Eversource to modify its Tariff language as indicated in paragraph 7, above;  
and
2. Grant such further relief as it deems appropriate.

**NECTA**  
By its Attorneys,  
Orr & Reno, P.A.



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Dated: June 1, 2023

Certificate of Service

I hereby certify that on the date set forth above a copy of the foregoing Objection and Motion was sent electronically to the Service List.



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Susan S. Geiger