

CLERK REPORT

DE 21-020

Docket No. & Name: Eversource Energy and Consolidated Communications Joint Petition to Approve Pole Asset Transfer

Date: 3/15/2022 Opened: 9:04 Closed: 3:59 PHC: _____ Hearing: Yes

Presiding Officer: Chairman Daniel Goldner Commissioners: Carleton Simpson

Court Reporter: Steve Patnaude Clerk: Tracey Russo

Briefs Due: _____

Transcript Due Date: _____ Hearings Continued: May 10, 2022

Hearing Examiner Report Due: _____

Notice Made: Yes Under Advisement: _____

Appearances:

Eversource Energy - Jessica Buno Ralston, Esq.
Consolidation Communications - Patrick C. McHugh, Esq.
New England Cable & Telecommunications Associations, Inc. (NECTA) - Susan S. Geiger, Esq.
Office of the Consumer Advocate - Donald M. Kreis, Esq.
NH Dept of Energy - David K. Wiesner, Esq.

Intervention Granted:

Other Rulings:

NECTA was directed to file the rebuttal testimony of Patricia D. Kravtin, presented orally at hearing, in writing as Exhibit 72.

March 25, 2022 – responses to record requests due

April 1, 2022 – deadline to issue data requests on record request responses

April 15, 2022 – responses to data requests due

The following Exhibits were entered into evidence:

Exhibit 1

Confidential - Prefiled Direct Testimony of Lee G. Lajoie

Exhibit 2

Prefiled Direct Testimony of Lee G. Lajoie

Exhibit 3

Confidential - Attachment LGL-1: Settlement and Pole Purchase Agreement, December 30, 2020 (“Purchase Agreement”)

Exhibit 4

Attachment LGL-1: Settlement and Pole Attachment Agreement, December 30, 2020, plus Exhibits A & B

Exhibit 5

Confidential - Prefiled Direct Testimony of Douglas P. Horton and Erica L. Menard

Exhibit 6

Prefiled Direct Testimony of Douglas P. Horton and Erica L. Menard

Exhibit 7

Confidential - Attachment DPH/ELM-1

Exhibit 8

Attachment DPH-ELM-1

Exhibit 9

November 15, 2021 Prefiled Supplemental Testimony of Douglas P. Horton and Erica L. Menard with DPH/ELM-1

Exhibit 10

Confidential - Rebuttal Testimony of Douglas P. Horton

Exhibit 11

Rebuttal Testimony of Douglas P. Horton

Exhibit 12

Confidential - Attachment ES-DPH-1

Exhibit 13

Attachment ES-DPH-1 and ES-DPH-2

Exhibit 14

Confidential - Joint Rebuttal Testimony of Michael Shultz and Sarah Davis and Attachments MS/SD-001-03

Exhibit 15

Joint Rebuttal Testimony of Michael Shultz and Sarah Davis and Attachments MS/SD-001-03

Exhibit 16

Joint Petitioners Response to Data Request Staff 3-001 (Summary) and Supplemental Response to Data Request Staff 1-005a and 3-001a, Joint Petitioners responses to Staff Data Requests 1-010, 1-011, 1-017, 2-004, 1-029, 3-006, DOE 5-002, DOE 5-004, DOE 5-005

Exhibit 17

Joint Petitioners Response to Data Request OCA 1-009

Exhibit 18

Joint Petitioners Response to Data Request NECTA 1-006, 09, 031, 043, 045

Exhibit 19

Confidential - Joint Petitioners Response to Data Request NECTA 2-001, NECTA 2-002, NECTA 3-03, NECTA TS 02.08

Exhibit 20

Joint Petitioners Response to Data Request NECTA 2-001, NECTA 2-002, NECTA 3-03, NECTA TS 02.08

Exhibit 21

Confidential - Testimony and Supporting Attachments of Stephen Eckberg

Exhibit 22

Testimony and Supporting Attachments of Stephen Eckberg

Exhibit 23

Joint Petitioners Response to Data Request Staff 1-11

Exhibit 24

Joint Petitioners Response to Data Request Staff TS 1-1

Exhibit 25

Docket DE 19-057 Settlement Agreement

Exhibit 26

NH Superior Court Order in Docket No. 216-2020-CV-00555 dated May 3, 2021

Exhibit 27

Prefiled Direct Testimony of James G. White, Jr.

Exhibit 28

Prefiled Direct Testimony of James G. White, Jr. Revised pages 11 et seq.

Exhibit 29

Attachment JGW-1 (NECTA 1-008 / Response 04/26/2021)

Exhibit 30

Attachment JGW-2 (NECTA TS 1-001 / Response 05/27/2021)

Exhibit 31

Attachment JGW-3 (NECTA TS 3-003 / Response 08/16/2021)

Exhibit 32

Attachment JGW-4 (NECTA 1-034 / Response 04/26/2021)

Exhibit 33

Attachment JGW-5 (NECTA 1-020 / Response 04/26/2021)

Exhibit 34

Attachment JGW-6 (NECTA 1-044 / Response 04/26/2021)

Exhibit 35

Attachment JGW-7 (NECTA 2-011-SP01 / Response 06/17/2021)

Exhibit 36

Attachment JGW-8 (NECTA 2-012 / Response 06/17/2021)

Exhibit 37

Attachment JGW-9 (NECTA 1-007 / Response 04/27/2021)

Exhibit 38

Attachment JGW-10 (Official Notice to Pole Attachers Letter dated 06/12/2019)

Exhibit 39

Prefiled Direct Testimony of Patricia D. Kravtin

Exhibit 40

Attachment PDK-1 (Kravtin CV)

Exhibit 41

Attachment PDK-2 (Overview of the Widely Used FCC Pole Rate Formula Methodology)

Exhibit 42

Attachment PDK-3 (NECTA 1-023 / Response 04/28/2021)
Exhibit 43
Confidential - Attachment PDK-4 (Chart)
Exhibit 44
Attachment PDK-4 (Chart)
Exhibit 45
Attachment PDK-5 (Annual Return of the Massachusetts Electric Company 12/31/2019)
Exhibit 46
Attachment PDK-6 (FCC Paper Report 43-01 ARMIS Annual Summary Report)
Exhibit 47
Attachment PDK-7 (STAFF 1-031-RV01 / Revision Response 05/07/2021)
Exhibit 48
Attachment PDK-8 (DOE 6-03 / Response 01/10/2022)
Exhibit 49
Confidential - Attachment PDK-9 (NECTA 3-001 / Response 07/14/2021)
Exhibit 50
Attachment PDK-9 (NECTA 3-001 / Response 07/14/2021)
Exhibit 51
Attachment PDK-10 (NECTA 1-006 / Response 04/28/2021)
Exhibit 52
Attachment PDK-11 (NECTA 1-026 / Response 05/03/2021)
Exhibit 53
Attachment PDK-12 (STAFF 1-028 / Response 04/26/2021)
Exhibit 54
Attachment PDK-13 (NECTA 3-018 / Response 07/14/2021)
Exhibit 55
Attachment PDK-14 (NECTA 3-017 / Response 07/14/2021)
Exhibit 56
Attachment PDK-15 (NECTA 1-045 / Response 04/26/2021)
Exhibit 57
Attachment PDK-16 (STAFF 1-029 / Response 04/28/2021)
Exhibit 58
Attachment PDK-17 (PSNH Pole Attachment Agreement – 2022 Attachment Fees & Charges)
Exhibit 59
Attachment PDK-18 (NECTA 1-004 / Response 04/27/2021)
Exhibit 60
Attachment PDK-19 (NECTA 3-011 / Response 07/14/2021)
Exhibit 61
Attachment PDK-20 (STAFF 1-027 / Response 04/12/2021)
Exhibit 62
Attachment PDK-21 (NECTA TS 3-004 / Response 08/13/2021)
Exhibit 63
NECTA letter to Consolidated Disputing Pole Attachment Rates (10/18/21)
Exhibit 64
NECTA letter to Eversource Disputing 2021 Pole Attachment Rates (8/23/21)

Exhibit 65

NECTA letter to Eversource Disputing 2022 Pole Attachment Rates (12/2/21)

Exhibit 66

Confidential Joint Petition to Approve Pole Asset Transfer (3/15/2022)

Exhibit 67

Joint Petition to Approve Pole Asset Transfer (3/15/2022)

Exhibit 68 – RECORD REQUEST

For the time period January 1, 2021 through February 28, 2022, provide a record showing amounts billed from Eversource to Consolidated for vegetation management, or in the absence of a bill, the amount of any expenses that Eversource otherwise would have charged Consolidated.

Exhibit 69 – RECORD REQUEST

Does Eversource have any other similar disputes over vegetation management expenses, either in New Hampshire or in other jurisdictions? If so, describe how Eversource addressed or is addressing such disputes.

Exhibit 70 - RECORD REQUEST

Provide updated testimony and supporting exhibits, including Exhibit 7, reflecting Eversource's proposed revised cost recovery proposal that excludes capital costs. Include live Excel formats of all schedules and attachments.

Exhibit 71 – RECORD REQUEST

Provide cash flow analysis or modeling performed by Eversource relating to the proposed transaction.

Exhibit 72

Rebuttal testimony of Patricia Kravtin in writing, presented orally at hearing

WITNESSES:

Panel 1	Douglas P. Horton, Jason Yergeau, Samantha Brigham
Panel 2	Michael Shultz, Sarah Davis,
Panel 3	James G. White, Jr., Patricia D. Kravtin
Panel 4	Stephen R. Eckberg