

Public Service of New Hampshire d/b/a Eversource Energy
Docket No. DE 21-020

Date Request Received: 08/03/2021

Date of Response: 08/16/2021

Request No. NECTA TS 3-003

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Request from: New England Cable and Telecommunications

Witness: Douglas P. Horton, Erica L. Menard, Sarah Davis

Request:

Regarding statements made at the 7/30/21 Technical Session and in response to NECTA 3-011 and 3-012 concerning the treatment of pole attachments designated and billed as "Joint Use" ("JU") poles by Consolidated:

- (a) Please confirm that, JU poles are those as described in response to NECTA 1-008, i.e. "where Eversource or Consolidated fully owns the pole and the other company has equipment on the pole, but is not a joint owner". If this statement is incorrect, please explain.
- (b) The response to NECTA 3-011, "Consolidated intends to cease billing for pole attachments related to joint use poles in Eversource's electric service territory with the closing of the transactions contemplated in the Joint Petitioner's Settlement and Pole Asset Purchase Agreement." Please indicate whether the language "intends to cease billing" means that Consolidated will cease billing for joint use poles in Eversource's electric service territory with the closing of the proposed transactions.
- (c) Please state whether Eversource agrees that upon its takeover of Consolidated's billing following the pole asset transfer, Eversource will "only charge the solely owned pole rate for attachments for which Consolidated was previously invoicing a Joint Use charge and that Eversource will NOT, in addition, continue to bill attachers the \$6.86 Consolidated jointly owned pole rate currently billed by Consolidated for transferred poles Consolidated had designated as JU.
- (d) If Eversource agrees with the statement in subsection (c), above:
 - (i.) Please confirm that the response to NECTA 1-006 stating "Attachments on poles listed as JU on Consolidated invoices will continue to be billed the \$6.84 rate...consistent with the method and manner in which rates are charged to attachers today" is not accurate.
 - (ii.) Please describe the process by which Eversource will ensure that "Attachments on poles listed as JU on Consolidated invoices" will cease to be billed the \$6.84 rate" for poles also subject to Eversource's sole owned rate.
- (e) If Eversource disagrees with the statement in subsection (c), above:
 - (i.) Please provide Eversource's justification, post transfer, for billing attachers an effective rate of 1.5 times the Eversource sole owned rate (i.e., the sum of Consolidated's joint owned rate applied to JU poles plus Eversource's sole owned rate) for this subset of poles (i.e. Eversource solely-owned poles upon which Consolidated was imposing a JU charge).
 - (ii.) Please state whether Eversource would agree, post-transfer, to provide attachers with a billing credit to offset any invoiced JU charges associated with poles also billed by Eversource at its sole own rate.
- (f) Please refer to the response to NECTA 3-012(c) and clarify whether that response means that Eversource and Consolidated are now taking the position that some number of poles designated as JU poles by CCI and billed as such are not in fact fully owned by Eversource as previously described in response to NECTA 1-008 and by Joint Petitioners at the Technical Sessions.

- (i.) If the answer is yes, please indicate whether Eversource is currently billing attachers for those poles now purported to be incorrectly designated as JU poles by CCI at Eversource's sole owned rate or its jointly owned rate, and provide substantiation of that billing status for that subset of poles.
- (g) Please refer to the confidential response to NECTA 2-009 that shows the number of "JU" attachments by CCI Agreement number and provides the related invoices to NECTA members. NECTA's understanding is that Consolidated imposes JU charges on attachments on poles 100% owned by Eversource, and that Eversource also charges the solely owned or "SO" pole rate for the attachments listed as "JU" on Consolidated invoices. Please state whether Consolidated and Eversource agree that NECTA's above-stated understanding is correct. If Consolidated and Eversource do not agree with NECTA's understanding, please explain.
- (h) Eversource has indicated it will continue charging Consolidated's rates post-transaction for transferred poles. However, it is NECTA's understanding that, post- transaction, Eversource's invoices for the poles transferred from Consolidated will no longer reflect any charges for attachments shown as "JU" on Consolidated's invoices pre-transaction. Please confirm whether the above-stated understanding is correct.

Response:

- a. The Joint Petitioners confirm the statement is correct, although as indicated in the technical session, poles that Consolidated bills with the designation of "JU" may in fact be jointly owned poles.
- b. Confirmed Consolidated will cease billing for joint use poles in Eversource territory following the transaction.
- c. Eversource will only charge the solely owned rate for all solely owned poles in Eversource's electric service territory.
- d. See the response to NECTA TS 1-003
- e. n/a
- f. For Joint Use Poles that Eversource owns where Consolidated is attached, Eversource bills attachers on these joint use poles at the solely owned rate and Consolidated bills attachers at the joint use rate. After the sale, Consolidated will no longer bill attachers at all on these poles and Eversource will continue to bill at the solely owned rate.

For Joint Use Poles that Consolidated owns where Eversource is attached, Eversource does not bill attachers on these poles. Consolidated bills at the solely owned rate. It is possible that a pole has been incorrectly designated or changed from JU to JO without the billing records being updated. To the extent it is determined that a pole was incorrectly designated JU and should be JO, following the transaction Eversource will bill for the pole at the Eversource JO rate and the Consolidated JO rate. After the sale, Eversource will become sole owner of these poles and will bill at the solely owned rate and Consolidated will no longer bill attachers at all on these poles.

- g. Eversource bills the SO rate for JU poles as they are owned by Eversource and simply hold a Consolidated attachment.
- h. If a JU pole was previously owned by Consolidated with an Eversource attachment, and that pole transfers to Eversource, then Eversource would bill attachers on that pole as an Eversource solely owned pole.