

STATE OF NEW HAMPSHIRE
Before the
PUBLIC UTILITIES COMMISSION
Docket No. DT 23-103

CONSOLIDATED COMMUNICATIONS HOLDINGS, INC.

and

CONDOR HOLDINGS, LLC

**Joint Petition for Findings in Furtherance of an Indirect Transfer of Control of CCHI's
Operating Subsidiaries as part of Parent Transaction**

**CONSOLIDATED COMMUNICATIONS HOLDINGS, INC.'S OBJECTIONS TO SET
ONE DATA REQUESTS PROPOUNDED BY NEW HAMPSHIRE ELECTRIC
COOPERATIVE, INC.**

NOW COMES Consolidated Communications Holdings, Inc, (“Consolidated”) and pursuant to N.H. Code Admin. R. Puc. 203.09(g), hereby objects to the data requests (collectively, the “Requests” and individually, each being a “Request”) propounded by New Hampshire Electric Cooperative, Inc. (“NHEC”), on the grounds specified below and as of April 8, 2024.

GENERAL OBJECTIONS

1. Consolidated generally objects to the Requests to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, work product doctrine, common defense doctrine, and/or any other applicable privilege, rule, or duty of confidentiality to third parties that precludes or limits the production or disclosure of information or documents. Accordingly, Consolidated interprets the Requests as not requiring disclosure of such protected information or documents. Nothing contained in Consolidated’s responses is intended to, or in any way shall be deemed, a waiver of such applicable privilege, doctrine, rule, or duty. In

responding to each Request, Consolidated will not provide privileged or otherwise protected information or documents.

2. Consolidated generally objects to the Requests as overly broad, unduly burdensome, oppressive, and harassing to the extent that they seek production of information or documents that have no bearing on the issues in the docket, the standard of review applicable to the relief sought in the Joint Petition filed in this docket, relate to a separate proceeding, and/or are neither relevant to the subject matter of the pending docket nor reasonably calculated to lead to the discovery of admissible evidence. Consolidated also generally objects to each Request to the extent that it seeks information that is proprietary, competitively and/or commercially sensitive, and/or subject to confidential treatment.

3. Consolidated has not fully completed its investigation into the facts pertaining to this docket, has not completed its discovery, and has not completed its preparation for any evidentiary hearing. Responses will be based only on such information and documents as are presently available and known to Consolidated. This anticipated further discovery, investigation, legal research, and analysis may supply additional facts and may establish information that may vary from that set forth in any Consolidated responses. Consolidated's responses will be without prejudice to Consolidated's right to introduce evidence of any subsequently discovered fact(s) or circumstance(s).

4. With respect to NHEC's definition of "double poles" – "[w]hen a pole owner replaces a pole, all attachments belonging to the pole owner and other attachers must be transferred to the new pole. Until such transfers occur, the old pole remains next to the new pole and two or more poles remain in the field, creating a 'double pole' condition" – Consolidated objects to all related Requests as being beyond the scope of discovery in Docket DT 23-103. Such Requests are not

relevant to any issues in the docket or the legal standard applicable to the Requests for Relief in the Joint Petition.

5. All General Objections set forth above are incorporated by reference into each specific objection listed under each of NHEC's Requests set forth below.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-01

Page 1 of 2

Request from: NHEC

Witness:

Regarding the poles that Consolidated owns in whole and in part, please explain:

- a. Consolidated's program for inspecting these poles for safety and reliability
- b. The occasions when Consolidated inspects these poles
- c. Whether Consolidated conducts regular pole inspections and if so, how frequently?
- d. Consolidated's pole inspection criteria
- e. The methodology used by Consolidated for these inspections
- f. Whether Consolidated measures pole decay. If so,
 - i. How is pole decay measured?
 - ii. How often is pole decay measured?
 - iii. Please provide a copy of all invoices demonstrating the frequency of such pole decay measurements
 - iv. How is pole decay recorded?
 - v. How long are pole decay records maintained?
 - vi. Please provide a copy of all reports identifying pole decay
- g. Whether Consolidated identifies pole defects. If so,
 - i. How are pole defects identified?
 - ii. How often are pole defects identified?
 - iii. Please provide a copy of all invoices demonstrating the frequency of such pole defect identification
 - iv. How are pole defects recorded?
 - v. How long are pole defect records maintained?

- vi. Please provide a copy of all reports identifying pole defects
- h. Whether Consolidated measures the pole's remaining strength. If so,
 - i. How is the pole's remaining strength measured?
 - ii. How often is the pole's remaining strength measured?
 - iii. Please provide a copy of all invoices demonstrating the frequency of such remaining strength measurements
 - iv. How is the pole's remaining strength recorded?
 - v. How long are pole remaining strength records maintained?
 - vi. Please provide a copy of all reports identifying the remaining strength of the poles
- i. Whether Consolidated applies remedial treatments to the poles. If so,
 - i. What types of remedial treatments are applied?
 - ii. How often are remedial treatments applied?
 - iii. Please provide a copy of all invoices demonstrating the frequency of such remedial treatments
 - iv. How are remedial treatments recorded?
 - v. How long are remedial treatment records maintained?
 - vi. Please provide a copy of all reports identifying remedial treatments of the poles
- j. How Consolidated addresses poles that fail inspection.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-02

Page 1 of 1

Request from: NHEC

Witness:

Regarding the poles that Consolidated owns in whole or in part, please provide records showing how Consolidated addresses poles that fail inspection.

Objection: Consolidated objects to this Request on the grounds that it seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. In addition, Consolidated objects on the grounds that the Request also is overly broad and unduly burdensome. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-03

Page 1 of 1

Request from: NHEC

Witness:

Regarding the poles that Consolidated owns in whole or in part, please provide proof that Consolidated's pole inspection program meets or exceeds the requirements of the National Electrical Safety Code.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-04

Page 1 of 1

Request from: NHEC

Witness:

Please provide a copy of Consolidated's storm response plan.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague and the term "storm response plan" is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-05

Page 1 of 1

Request from: NHEC

Witness:

Please provide a copy of Consolidated's plan for maintaining business continuity following a storm.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague, as the term "storm" is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-06

Page 1 of 1

Request from: NHEC

Witness:

Please identify the number of poles Consolidated has replaced in response to storm events over the past five years.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague, as the phrase “storm events” is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-07

Page 1 of 1

Request from: NHEC

Witness:

Please identify the number of field crews or other personnel (if any) Consolidated retains on paid standby to respond to emergencies.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague, as the term “emergencies” is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-08

Page 1 of 1

Request from: NHEC

Witness:

Please identify the number of field crews or other personnel (if any) Consolidated retains to respond to storms while the storm is occurring.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague, as the term “storms” is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-09

Page 1 of 1

Request from: NHEC

Witness:

Please provide documents demonstrating Consolidated's response time reattaching its facilities to poles following a storm event.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. This Request also is unduly vague, as the phrase "storm events" is not defined. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-10

Page 1 of 1

Request from: NHEC

Witness:

Please provide documents demonstrating Consolidated's response time reattaching its facilities to poles following an emergency event.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.ence. This Request also is unduly vague and the phrase "emergency event" is not defined.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-11

Page 1 of 1

Request from: NHEC

Witness:

Following a request by NHEC that Consolidated replace a pole located in Consolidated's pole set territory, how many days on average does it take for Consolidated to replace a pole?

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-12

Page 1 of 1

Request from: NHEC

Witness:

Regarding requests by NHEC that Consolidated replace a pole located in Consolidated's pole set territory, what is the difference between the number of poles Consolidated actually replaced and the number of poles NHEC has requested be replaced?

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-13

Page 1 of 1

Request from: NHEC

Witness:

Please explain Consolidated's scheduling process for replacing poles.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-14

Page 1 of 1

Request from: NHEC

Witness:

For the poles located in Consolidated's pole set territory, how many double pole conditions exist?

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-15

Page 1 of 1

Request from: NHEC

Witness:

For the poles located in Consolidated's pole set territory that are 100% owned by Consolidated, how many poles are awaiting transfer by Consolidated to the new pole?

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-16

Page 1 of 1

Request from: NHEC

Witness:

For all poles to which Consolidated is attached, how many poles are awaiting the transfer of Consolidated's attachments?

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-17

Page 1 of 1

Request from: NHEC

Witness:

Please provide all records of complaints by municipalities to Consolidated about double poles.

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.

Consolidated Communications Holdings, Inc.

Docket No. DT 23-103

Date Request Received: 03/27/2024

Date of Response:

Date of Objection: 04/08/2024

Request No.: 1-18

Page 1 of 1

Request from: NHEC

Witness:

Please explain the extent to which the New Hampshire PUC has addressed alleged failures by Consolidated:

- a. with respect to double poles
- b. to timely transfer attachments
- c. to timely replace poles
- d. to inspect and maintain poles
- e. to timely respond to storm events and emergencies

Objection: Consolidated objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Consolidated objects to this Data Request because it does not seek information relevant to or admissible in this proceeding before the Public Utilities Commission but instead seeks information concerning an unrelated civil action pending in the Hillsborough County Superior Court captioned New Hampshire Electric Cooperative, Inc. v. Consolidated Communications of Northern New England, LLC, Docket No. 216-2020-CV-00555.