

**THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION  
DE 24-070**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
d/b/a EVERSOURCE ENERGY**

**Request for Change in Distribution Rates**

**PETITION OF NEW ENGLAND CONNECTIVITY  
AND TELECOMMUNICATIONS ASSOCIATION, INC. FOR INTERVENTION**

NOW COMES New England Connectivity and Telecommunications Association, Inc. (“NECTA”), by and through its undersigned counsel, respectfully petitions the New Hampshire Public Utilities Commission (“the Commission”) pursuant to Order No, 27,029 issued on June 28, 2024 by the Commission and in accordance with RSA 541-A:32 and N.H. Admin. R. Puc 203.17, to allow NECTA to intervene in the above-captioned docket. In support of this Petition, NECTA states as follows:

1. NECTA is a non-profit corporation and trade association that represents the interests of most cable operators and their affiliates (“NECTA Members”) in New England, including New Hampshire.

2. NECTA has offices at the following address: 53 State Street, Suite 525, Boston, Massachusetts 02109.

3. NECTA Members offer cable television and other services in New Hampshire by attaching facilities and associated equipment to utility poles that are either jointly or solely

owned by Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource”). NECTA Members also are large electric customers of Eversource.

4. As pole attachers, NECTA Members are provided certain rights and privileges under N.H. RSA 374:34-a, N.H. Admin. R. Puc 1300 Utility Pole Attachments and En 1300 Utility Pole Attachments, and pole attachment agreements they have entered into with Eversource.

5. As part of those pole attachment agreements, NECTA Members pay Eversource annual fees to attach those facilities and associated equipment. NECTA Members have an interest in Eversource’s accounting of its pole maintenance costs, including inspections, replacements, and tree trimming given their relevance to these fees.

6. The interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by allowing NECTA’s intervention. *See* RSA 541-A:32. Allowing NECTA to represent the interests of its members will reduce the number of individual intervenors, thereby facilitating a more efficient process. In addition, in the event any individual NECTA member elects to intervene separately in this docket, NECTA will coordinate its participation with such individual member to minimize duplication of evidence, examination or argument.

7. NECTA has previously been granted intervention by this Commission, commissions in other New England states, and the Federal Communications Commission, in many proceedings relating to access by cable operators to utility poles, as well as proceedings regarding pole attachment rates, terms and conditions. *See, e.g., Verizon New Hampshire and Electric Utilities, Generic Investigation into Utility Poles, DM 05-172.*

8. Most recently, the Commission granted NECTA’s intervention in Commission Docket 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, Joint Petition to Approve Pole Asset Transfer* (Nov. 18, 2022). In Order No. 26,729, the Commission approved Eversource’s purchase of utility poles from Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications (“Consolidated”) and required Eversource to calculate and impute a net book value for the transferred poles as if Consolidated were a rate regulated utility. Under §32A(c) of Eversource’s June 8, 2023 tariff—Eversource’s Pole Plant Adjustment Mechanism (“PPAM”)—Eversource’s pole attachment revenues for formerly Consolidated-owned poles are tracked separately and billed at the Consolidated rate at the time of the closing of the pole-transfer transaction until a full pole attachment survey is conducted and, or a single, unified rate is applied to all poles.<sup>1</sup> In its June 11, 2024, petition in this proceeding, Eversource proposes to eliminate the PPAM as of July 31, 2024, and recover those costs in base rates.

9. With the proposed elimination of the PPAM, recovery of PPAM costs through base rates determined in this proceeding, the current lack of a unified pole attachment rate among Eversource’s legacy poles and formerly Consolidated-owned poles, and the pending unification of such attachment rates, the issues presented in this case will directly and significantly impact the pole attachment rates that Eversource may lawfully charge NECTA Members. Therefore, NECTA Members’ rights, duties, privileges, immunities or other substantial interests will be affected by the proceeding. These interests will not be adequately represented by other parties.

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<sup>1</sup> Letter from Ben Martin-McDonough, Tariff Administrator, PUC to Scott R. Anderson, Mgr. Rates, Eversource (Aug. 25, 2023) (approving the PPAM tariff).

WHEREFORE, NECTA respectfully requests that the Commission:

- A. Allow NECTA to intervene as a full party to this proceeding; and
- B. Grant such further relief as is appropriate.

Respectfully submitted,

**NEW ENGLAND CONNECTIVITY AND  
TELECOMMUNICATIONS ASSOCIATION,  
INC.**

By: /s/David C. Soutter

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Its Attorney

Dated: July 10, 2024

Certificate of Service

I hereby certify that on the date set forth above a copy of the within Petition was sent by electronic or U.S. mail to persons listed on the Service List in this docket.

*/s/David C. Soutter*

David C. Soutter, Esq.