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December 3, 2008

Debra A. Howland  
Executive Director  
N.H. Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301



Re: DRM 08-004, Pole Attachment Rulemaking

Dear Ms. Howland:

A technical session was held in the above-captioned docket on Friday, November 21, 2008. This letter serves as Staff's report on that session, as well as a status report of the rulemaking process in this docket.

The Commission promulgated interim rules governing attachments to utility poles on January 11, 2008. Those rules will expire in January 2010. The Commission invited public comment on the interim rules and opened Docket No. DRM 08-004 to facilitate the development of regular rules. Eight parties submitted comments on the interim rules on March 5, 2008. A proposed draft of regular rules governing pole attachments was circulated to the service lists for DRM 08-004 (pole attachment final rulemaking) and DM 05-172 (generic investigation into utility poles) on June 16, 2008; parties submitted additional comments to Staff on June 25, 2008. All comments received have been posted on the Commission website. A third, revised draft of the proposed regular rules was circulated on October 31, 2008. A technical session was held on November 21, 2008, to provide parties a further opportunity to comment on the draft rules prior to submission for Commission approval of an initial proposal.

Participants in the November 21, 2008 technical session included representatives from PSNH; Unitil; National Grid; New Hampshire Electric Cooperative; FairPoint Communications; New Hampshire Telephone Association; TDS Telecom; Granite State Telephone; segTEL; New England Cable & Telecommunications Association; New Hampshire Local Government Center; New Hampshire Municipal Association; the town of Hanover and, jointly represented through counsel, the towns of Exeter, Hanover, Keene, Portsmouth, Newmarket, Salem, Seabrook, Raymond, and Stratham; the cities of Concord, Manchester, and Keene; the fire departments of Concord, Manchester, Nashua,

Keene, Claremont, and Peterborough; the New Hampshire Department of Transportation; the New Hampshire Department of Justice; and Commission Staff.

One final set of comments – not to reiterate previously submitted comments – is due on Friday, December 5, 2008. Staff plans to review those comments, make revisions as appropriate, and submit draft proposed regular rules to the Commission in January 2009. Participants in the technical session have been apprised that they will have a further opportunity to present their positions at hearing before the Commission and that they may be invited to submit comments following the hearing.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Fabrizio".

Lynn Fabrizio  
Staff Attorney