



STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: November 1, 2012

AT (OFFICE): NHPUC

David

FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 12-024 New Hampshire Optical Systems, Inc.
Petition to Cross Public Waterways and Railroads for Segment 8

TO: Commissioners
Debra Howland, Executive Director

On October 4, 2012 Staff submitted a memo to the Commission in which it recommended granting a license to NHOS for Segment 8 of its Network New Hampshire Now (NNH Now) Middle Mile Network. Since that time it came to Staff's attention that NHOS has already attached at one of the crossings in Segment 8, to the rail crossing in Conway, on poles E333/344 – T150/1280 and E333/343 – T150/1279 and that the attachment may not comply with requirements of the National Electrical Safety Code. Staff inspected the site and found that NHOS did indeed attach, and that the clearance of NHOS's attachment above that of CATV on pole E333/344 – T150/1280 does not appear to comply with the NESC.

As a result of learning of these conditions, on October 30, 2012, Staff submitted a letter to NHOS requesting that it verify that its attachments comply with NESC or bring them into compliance. Staff also requested that, when all necessary work, if any, is completed, NHOS provide an attestation, that its attachments at the Conway crossing fully comply with NESC, as well as photos demonstrating this. Accordingly, Staff recommends the Commission defer action on the request for license in this docket until this matter is resolved.