

**BEFORE THE
PUBLIC UTILITIES COMMISSION**

DT 12-084

**TIME WARNER ENTERTAINMENT CO., L.P. D/B/A TIME WARNER CABLE
Petition for Resolution of Dispute with Public Service Company of New Hampshire**

**OBJECTION TO PETITIONS TO INTERVENE
FILED BY UNITIL ENERGY SYSTEMS, INC. AND segTEL**

NOW COMES Petitioner Time Warner Entertainment Co., L.P. d/b/a Time Warner Cable (“TWC”), by and through their attorneys, and pursuant to the Order of Notice in this matter dated May 2, 2012 objects to the Petition to Intervene filed by Unitil Energy System, Inc. (“UES”) dated May 21, 2012 and the Petition to Intervene filed by segTEL, Inc. (“segTEL”) dated May 22, 2012.

This adjudicatory proceeding presents a dispute between TWC and Public Service Company of New Hampshire (“PSNH”) as to the proper rate for TWC attachments of its cable systems to utility poles owned by PSNH. PSNH sued TWC seeking higher fees purportedly because TWC provided Voice over Internet Protocol (“VoIP”) service over its cable systems. TWC has paid all amounts charged by PSNH for commingled cable television and Internet service attachments, and PSNH simply seeks a surcharge for TWC’s addition of VoIP service to the same facilities.

UES and segTEL seek intervenor status solely because they own poles in New Hampshire. They do not allege that they own poles to which TWC has attached its facilities. Neither entity alleges that the question of the proper rate for pole attachments used to provide VoIP over a cable system affects their operations. While these entities’ interests as owners of

utility poles are perhaps remotely implicated in this proceeding, neither of the petitions demonstrates an interest directly implicated by TWC's Petition.

By way of contrast, the Petition to Intervene filed by Comcast Cable Communications Management, LLC et al. ("Comcast") alleges that Comcast is party to pole attachment agreements with PSNH which are similar to the agreements at issue in this docket. In addition, Comcast, like Time Warner, owns and operates cable systems that provide VoIP service. The precise rates at issue in TWC's petition are the rates being charged to Comcast and involve the same evidentiary proofs. Comcast's interests in attachments to poles owned by PSNH are therefore directly implicated and may be resolved by TWC's Petition.

Awarding UES and segTEL full party intervenor status may hinder "the interests of justice and prompt conduct of the proceedings" under RSA 541-A:32. The federal Communications Act requires the resolution of TWC's Petition in 360 days or less. 47 U.S.C. § 224(c)(3)(B). The addition of these two intervenors threatens the ability of the parties and the Commission to meet this deadline by increasing the number of parties entitled to take discovery, and cross examine witnesses at hearing, as well as increasing the potential number of witnesses and exhibits. All of this adds time and complication to the proceedings. On the other hand, even if UES and segTEL are denied intervenor status, they will be allowed to present their position at a hearing or prehearing conference. N.H. Admin. Rules Puc 203.18.

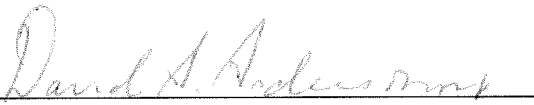
For the foregoing reasons, TWC respectfully objects to the Petitions to Intervene filed by UES and segTEL.

Respectfully submitted,

**TIME WARNER ENTERTAINMENT L.P.
d/b/a TIME WARNER CABLE**

By its attorneys, Pierce Atwood LLP

May 23, 2012

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