

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 12-107

NEW HAMPSHIRE OPTICAL SYSTEMS, LLC
Petition for Investigation Into Proposed Charges for Utility Pole Make Ready

Northern New England Telephone Operations LLC ("NNETO") - Responses to Questions
Propounded in Commission Order No. 25,407

Respondent: Steven Freeman
Title: Director of Network Engineering

REQUEST: Question 1-1 Provide copies of the PAA's you have in place with the following
attachers: NHOS, segTEL, MetroCast, and BayRing.

DATED: September 5, 2012

ITEM: Question 1

REPLY

The requested documents are attached at the end of these responses. Due to the size and quantity of the attachments, NNETO has provided one original hard copy of the attachments and one disk containing all the attachments. An electronic copy of the attachments has been sent to the Service List. Please note that NNETO is providing one Pole Attachment Agreement for each licensee requested. However, NNETO has multiple Pole Attachment Agreements depending upon the specific electric delivery area the licensee is applying. These Pole Attachment Agreements include consistent language. NNETO will provide the full complement of Pole Attachment Agreements if required.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 2

Provide an estimate of the number of pole attachment applications that you received from January 1, 2011 through June 30, 2012.

- a. In total.
- b. Of under 200 poles.
- c. Over 200 poles that you rejected.
- d. Over 200 poles that you accepted.

DATED: September 5, 2012

ITEM: Question 2

REPLY:

The estimated number of pole attachment applications from January 1, 2011 through June 30, 2012 is listed below:

Criteria	Number of Applications	Number of Poles
In Total	801	35493
Less than 50 Poles	557	6501
Between 51 - 100 Poles	104	7644
Between 101 - 150 Poles	66	8065
Between 151 - 200 Poles	74	13283
Over 200 - rejected	0	0
Over 200 - Accepted	0	0

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 3 Provide an estimate of the highest number of poles with applications pending (from all parties) but not yet approved at any one time during this period.

DATED: September 5, 2012

ITEM: Question 3

REPLY: NNETO does not understand the request, specifically what is meant by the phrase “not yet approved”. In addition, NNETO does not retain in the normal course of business the number of pending applications at any given time. As of October 3, 2012, NNETO had a total of 63 pending pole applications (equating to 2,045 pole attachments).

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 4

Provide an estimate of the highest number of poles with applications pending (from any single CLEC) but not yet approved at any one time during this period.

DATED: September 5, 2012

ITEM: Question 4

REPLY:

NNETO does not understand the request, specifically what is meant by the phrase “not yet approved”. In addition, NNETO does not retain in the normal course of business the number of pending applications at any given time. As of October 3, 2012, NNETO had a total of 11 pending pole applications from NHOS (equating to 579 pole attachments).

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 5

During this period, did you exercise your option to limit applications pending approval by a licensor, to no more than 2,000 poles within a Planning Manager’s Area at one time?

DATED: September 5, 2012

ITEM: Question 5

REPLY:

No. In the case of the pole attachment project requested by New Hampshire Optical Systems, LLC (“NHOS”), it agreed to put its applications into a project status which allowed NHOS flexibility to file all applications simultaneously and work with FairPoint to schedule the applications in the prioritization it desired to proceed.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 6

In deciding whether to invoke the 2,000 pole limit, do you consider:

- a. The work involved in modifying your own facilities;
- b. The work required of other attachers to modify their own facilities;
- c. Other factors (identify)

DATED: September 5, 2012

ITEM: Question 6

REPLY:

Not applicable; FairPoint has not denied any 3rd party applications extending beyond 2000 poles.

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 7

After a new licensee pays for make-ready work if applicable, when do you issue written notice to existing licensees that they must move their facilities? Is written notice always issued?

DATED: September 5, 2012

ITEM: Question 7

REPLY:

FairPoint does not issue written notifications to existing licensees related to the make-ready process to re-arrange its facilities in the normal course of business. Such coordination is incumbent upon the requesting attachee as described in FairPoint’s *Form 3* documentation. However, regarding work operations resulting from pole replacement scenarios, NNETO issues transfer notifications through the “*NJUNS*” (National Joint Utility Notification System) database. NNETO is agreeable to work with pole owners and attachees in NH to explore further *NJUNS* capabilities to provide electronic notice to existing attachees for the need to re-arrange their respective facilities.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 8

If no make-ready work is required by the pole owner, but existing licensee attachments must be moved to accommodate a new licensee, how is notice provided to existing licensees?

DATED: September 5, 2012

ITEM: Question 8

REPLY:

After a requesting attacher applies for a license, a joint survey would identify which utilities have make ready work. If a pole owner does not have make ready work, the *Form 3* would indicate the utilities having make ready responsibilities. Further coordination is incumbent upon the requesting licensee and the existing attachees. This has been the historical practice in the industry and generally has worked well.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 9

In its notice to existing licensees, does the pole owner specify a date by which the facilities must be moved?

DATED: September 5, 2012

ITEM: Question 9

REPLY:

NNETO does not address time intervals for existing attaches in which to perform its make ready work. This responsibility is incumbent upon the requesting licensor. Regarding pole transfer responsibilities in pole replacement scenarios, a standard interval of fifteen (15) days is provided in the *NJUNS* database for each licensee.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 10 Estimate how often, between January 1, 2011 and June 30, 2012, you issued such notices.

DATED: September 5, 2012

ITEM: Question 10

REPLY: Between January 1, 2011 and June 30, 2012, FairPoint issued *NJUNS* tickets related to pole transfer activities as part of make ready work for seven-hundred forty-five (745) poles in New Hampshire.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 11 Estimate how often, between January 1, 2011 and June 30, 2012, notice to existing licensees included instructions that facilities were required to be moved in 15 days.

DATED: September 5, 2012

ITEM: Question 11

REPLY: To the knowledge of members of NNETO's License Administration Group, there were three (3) such instances. Such notice is rare as attachees typically work together in a cooperative manner to move their respective facilities and plant. Therefore, written 15 day notice letters are not necessary. Respective to pole transfer responsibilities in pole replacement scenarios, see NNETO's response to question # 10.

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 12 Estimate how often, between January 1, 2011 and June 30, 2012 you were notified by the new licensee or the existing licensee that the existing licensee would not complete its make ready work within the 15 day period.

DATED: September 5, 2012

ITEM: Question 12

REPLY: To the knowledge of members of NNETO’s License Administration Group, there were three (3) such instances. However, NNETO does not retain such data in the ordinary course of business.

Northern New England Telephone Operations LLC ("NNETO")
Docket No. DT 12-107

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 13 Estimate how often, between January 1, 2011 and June 30, 2012, you invoked your option to move an existing licensee's facilities.

DATED: September 5, 2012

ITEM: Question 13

REPLY:

Objection by Counsel: NNETO objects to the form of the question as it presupposes a legal conclusion. Without waiving this objection or any other objection, NNETO responds as follows.

Response: To the knowledge of members of NNETO's License Administration Group, there were no such instances whereby NNETO relocated an existing attachee's facilities or plant to make space available for another attachee's facilities.

**Northern New England Telephone Operations LLC (“NNETO”)
Docket No. DT 12-107**

Respondent: Steven Freeman

Title: Director of Network Engineering

REQUEST: Question 14 What factors do you weigh in determining whether to invoke this option to move?

DATED: September 5, 2012

ITEM: Question 14

REPLY: **Objection by Counsel:** NNETO objects to the form of the question as it presupposes a legal conclusion. Without waiving this objection or any other objection, NNETO responds as follows.

Response: Please refer to the response to question # 13.