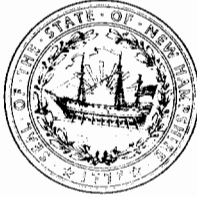


STATE OF NEW HAMPSHIRE



CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Graham J. Morrison
Michael D. Harrington

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland

PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Tel. (603) 271-2431
FAX (603) 271-3878
TDD Access: Relay NH
1-800-735-2964
Website:
www.puc.nh.gov

BY FAX: 624-0727

October 24, 2005

The Union Leader Corporation
Legal Notice Department
P.O. Box 9555
Manchester, New Hampshire 03108-9555

Re: For Publication

To Whom It May Concern:

Attached is a copy of an Order of Notice. Please publish this as a legal notice in The Union Leader on or before October 27, 2005. We would also ask that you forward an affidavit of publication and tear sheet to this office on or before November 10, 2005. If you prefer, I can email the Order to the appropriate person.

Please send the payment invoice to Debbie Gilman, Business Office, New Hampshire Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301.

Sincerely,

A handwritten signature in black ink that reads "Adele E. Leighton".

Adele E. Leighton
Assistant
adele.leighton@puc.nh.gov

cc: Debbie Gilman, Business Office
Docket File: DM 05-172

3 pages to follow

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DM 05-172

ORDER OF NOTICE

The New Hampshire Public Utilities Commission (Commission) hereby gives notice that it is opening a formal investigation pursuant to RSA 365:5 in connection with certain issues concerning the installation, maintenance and shared use of utility poles, as outlined in a memorandum filed by Staff on October 20, 2005.

Pursuant to RSA 374:1, "every public utility shall furnish such service and facilities as shall be reasonably safe and adequate and in all other respects just and reasonable." The Commission has received numerous complaints from the public regarding various aspects of utility pole installation and maintenance. Because pole installation and maintenance issues are inevitably linked to both service and public safety concerns, the Commission is bound by its role as arbiter of the interests of the customer and those of the regulated public utilities to investigate the issues raised.

On October 20, 2005, Staff filed a memorandum with the Commission outlining the scope and nature of complaints received from customers as well as utilities during the past year. In its memorandum, Staff recommended that the Commission open a new docket and initiate a generic investigation on poles-related issues.

Based on Staff's recommendation, the Commission will investigate issues related to, *inter alia*, joint ownership of poles by electric and telecommunications utilities; pole installations, replacements, and removals; response time to customer

requests for service; maintenance obligations and related safety concerns; emergency response; tree trimming; private property construction charges and multiple attachments.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Admin. Rules Puc 203.05, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on November 10, 2005 at 1:30 p.m., at which each party will provide a preliminary statement of its position on the issues as set forth in N.H. Admin Rule Puc 203.05(c); and it is

FURTHER ORDERED, that Verizon New Hampshire, Public Service Company of New Hampshire, Granite State Electric d/b/a National Grid–New Hampshire, Unitil Service Corporation, and New Hampshire Electric Cooperative are mandatory parties to this proceeding; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, Verizon New Hampshire, Public Service Company of New Hampshire, Granite State Electric d/b/a National Grid–New Hampshire, Unitil Service Corporation, New Hampshire Electric Cooperative, the Staff of the Commission and any Intervenors hold a Technical Session to discuss the scope of the investigation and recommend a procedural schedule; and it is


FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.01, the Executive Director of the Commission shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than October 27, 2005, in a newspaper with general circulation in those portions of the state in which operations

are conducted, publication to be documented by affidavit filed with the Commission on or before November 10, 2005; and it is

FURTHER ORDERED, that pursuant to N.H. Admin Rules Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission an original and eight copies of a Petition to Intervene with copies sent to Verizon NH, Public Service Company of New Hampshire, Granite State Electric, and Unitil Service Corporation and the Office of the Consumer Advocate on or before November 7, 2005, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Admin Rule Puc 203.02 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before November 10, 2005.

By order of the Public Utilities Commission of New Hampshire this twenty-fourth day of October, 2005.



Debra A. Howland
Executive Director & Secretary

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.