



April 3, 2018

**Via Email and FedEx**

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

RE: DRM 17-139, Rulemaking – N.H. Code Admin. Rules PUC 1300 Utility Pole Attachment  
Rules Readoption With Amendments  
Comments on Draft Final Proposal

Dear Ms. Howland:

CTIA files the following remarks in response to the New Hampshire Public Utilities Commission's ("Commission's") March 20, 2018 letter soliciting comment on Commission Staff's ("Staff's") March 15, 2018 Draft Final Proposal for further amendments to the PUC 1300 utility pole attachment rules.

CTIA and its members appreciate the diligent work by the Commission and Staff in this proceeding to review New Hampshire's pole attachment rules. In particular, CTIA commends the Commission's willingness to not just re-adopt the old rules, but to update, streamline, and improve its pole attachment rules based on stakeholder feedback. As CTIA has noted throughout this proceeding, these rules will help provide a foundation for network deployment today and over the next several years as consumer demand for wireless data continues to grow at a rapid pace.<sup>1</sup>

CTIA highlights the Draft Final Proposal's recommendations to include wireless providers as attaching entities, to adopt the Federal Communications Commission's ("FCC's") survey and make-ready timelines and use of contractor rules, and to update the rules to reference the 2017 FCC rate formulae as proposals that will help facilitate the rapid deployment of the next generation of wireless networks ("5G") in New Hampshire. In particular, the FCC's timelines and rate formulae have proven fair and effective to streamline the pole attachment process in the 30 states where they currently apply (and other states, such as Ohio, where the rules closely mirror the FCC's). The FCC rates and timelines, as CTIA noted in the technical session in this proceeding five months ago, have also withstood legal challenges and been found fair and reasonable by courts.<sup>2</sup>

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<sup>1</sup> See, e.g., October 13, 2017 Letter of CTIA and October 27, 2017 Letter of CTIA in the present proceeding.

<sup>2</sup> See October 13, 2017 Letter of CTIA in the present proceeding at 3, fn 5.



Accordingly, CTIA supports the Commission's adoption of the amendments to the Puc 1300 utility pole attachment rules found in the Draft Final Proposal.

Sincerely,



Benjamin J. Aron



Enclosures (duplicate copies)

cc: Service List in DRM 17-139 (via email)

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Certificate of Service

I hereby certify that on this 3rd day of April 2018, a copy of the foregoing Comments has been sent either by electronic mail or by first class mail, postage prepaid, to persons on the Service List.



Katie M. Gray

**LINKED**

4/5/18 JC