

CLERKS REPORT

Docket No. & Name: DT 20-111
Petition for Resolution of Dispute and Declaratory Ruling

Date: 12/04/20 Opened: 11:14 Closed: 1:44 PHC: _____ Hearing: Yes

Presiding Officer: Chairwoman Dianne Martin, Hearing Examiner:
with Commissioner Kathryn
M. Bailey

Court Reporter: Susan J. Robibas Clerk: Doreen Borden

Briefs Due: 12/11/20, reply briefs due 12/18/20

Transcript Due Date: _____ Hearings Continued: _____

Hearing Examiner Report Due: _____ Under Advisement: Yes

Notice Made: Yes, per secretarial letter approving procedural schedule

Appearances:

Comcast of Maine/New Hampshire, Inc.-Susan S. Geiger, Esq.
Consolidated Communications-Patrick C. McHugh, Esq.
Commission Staff-David K. Wiesner, Esq.

Intervention Granted:

Other Rulings: Exhibits marked 24-28 will be excluded.

Exhibits were entered into evidence and are listed below:

Exhibit 1

Petition for Resolution of Dispute and Declaratory Ruling

Exhibit 2

Petition Attachment 1 (“Connecting New Hampshire- Emergency Broadband Expansion Program”)

Exhibit 3

Petition Attachment 2 (Pole Attachment Agreement- Excluding Appendices)

Exhibit 4

Petition Attachment 3 (Form 3-Consolidated Itemized Pole Make-Ready Work Charges)

Exhibit 5

Petition Attachment 4 (Comcast of Maine/New Hampshire, Inc. Application for Belmont Pole Licenses)

Exhibit 6

Petition Attachment 5 (Map/ Belmont Poles)

Exhibit 7

Petition Attachment 6 (Email correspondence between Consolidated and Comcast)

Exhibit 8

Petition Attachment 7 (Town of Belmont Permit for Work in a Public Way or Place)

Exhibit 9

Petition Attachment 8 (Comcast of Maine/New Hampshire, Inc. Riser Application/Belmont Poles)

Exhibit 10

Petition Attachment 9 (Letter from Sarah Davis to Sharon Webber)

Exhibit 11

Petition Attachment 10 (Email from Consolidated/Rebecca DeRoche cancelling Comcast's riser application for Belmont Poles)

Exhibit 12

Petition Attachment 11 (Letter from Comcast/Sharon Webber to Consolidated/John Stevenson)

Exhibit 13

Supplement to Petition and Notice of Recent FCC Ruling

Exhibit 14

Prefiled Rebuttal Testimony of Terrence O'Brien on behalf of Comcast of Maine/New Hampshire, Inc.

Exhibit 15

Attachment TOB-1

Exhibit 16

Attachment TOB-2

Exhibit 17

Attachment TOB-3

Exhibit 18

18-1 Attachment TOB 4-1

18-2 Attachment TOB 4-2

18-3 Attachment TOB 4-3

18-4 Attachment TOB 4-4

Exhibit 19

19-1 Attachment TOB-5-1
19-2 Attachment TOB-5-2
19-3 Attachment TOB-5-3
19-4 Attachment TOB-5-4
19-5 Attachment TOB-5-5
19-6 Attachment TOB-5-6
19-7 Attachment TOB-5-7
19-8 Attachment TOB-5-8
19-9 Attachment TOB-5-9

Exhibit 20

Stipulation of Facts

Exhibit 21

Consolidated Communication Responses to Staff Data Requests 1-1, 1-2 & 1-3

Exhibit 22

Prefiled Direct Testimony of Glen Fournier on behalf of Consolidated Communications

Exhibit 23

Draft Plant Layout of Main St./Broadway Intersection Project (Salem, NH) as referenced in Prefiled Testimony of Glen Fournier

Exhibit 24

Excluded

Exhibit 25

Excluded

Exhibit 26

Excluded

Exhibit 27

Excluded

Exhibit 28

Excluded

WITNESSES:

Terrence O'Brien and Glen Fournier