



February 24, 2020

VIA E-Mail

Sharon L. Webber
Deputy General Counsel
Comcast Corporation
1701 John F. Kennedy Boulevard
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RE: Pole Access in Belmont, NH

Dear Ms. Webber:

The following is Consolidated Communications of Northern New England Company, LLC's response to your letter dated February 3, 2020.

In your letter you indicate that Consolidated Communication has improperly denied riser access to its poles in Belmont, New Hampshire. Consolidated Communications disagrees. As you are aware Consolidated Communications pole infrastructure is a limited resource and one that Consolidated Communications is responsible for managing in prudent and efficient manner. Consolidated Communications is required to manage its infrastructure in a way that is first and foremost safe and secondarily, provides non-discriminatory access to all that seek to attach. In order to efficiently manage its plant in this manner, Consolidated Communications implements policies that will allow for structural integrity and efficient use. Consolidated's Communication denial of the riser access to its poles is an example of just such a practice.

Consolidated denied the riser licenses on each riser pole based on capacity and engineering standards. Licensing risers that allow privately owned structure from one CCI asset to another greatly accelerates premature exhaustion both in the underground (manholes, pullboxes, etc.) and on poles. If Consolidated were to own this infrastructure it would be made available for any attacher that seeks to place facilities on the pole, therefore no additional risers or conduit would be required in the short term to accommodate the next attacher that has an access issue. Oppositely, Comcast's proposal would require the next attacher to the poles to place its own conduit and place yet another riser on each of the poles. This is not an efficient use of the limited resources and infrastructure. Creating multiple risers on a single pole unnecessarily causes congestion which makes it difficult for Consolidated Communications personnel to access the poles that it owns. If Consolidated owns the infrastructure, then it is available for any third party which later seeks attachment to Consolidated's poles.

Consolidated is willing to allow access and perform the make-ready work necessary for that access (i.e. place the conduit) which is all that is required under the NH Public Utility Commission's Chapter 1300

Rules. It is Comcast's refusal to accept Consolidated's reasonable offer to accommodate Comcast's attachment that is creating the stalemate and not the reverse.

Comcast is forced to incur the expense regardless of the ownership, so it is hard to understand the refusal on Comcast's part. The sole reason provided for requiring its own conduit is inconsistent with Comcast's practices in New Hampshire. Comcast claims to be concerned about cable damage, however, Comcast is in Consolidated's shared conduit system in many parts of New Hampshire. Furthermore, infrastructure sharing is the foundation on which state and federal pole attachment (including conduit) policy is based. In fact, the 1300 rules which Comcast's cites, are borne out of a policy desire that the rights of all attachers are placed above those of any particular property owner.

Finally, your constitutional claims are completely without merit. It is Comcast seeking to effect a taking of Consolidated's property and not the other way around. Consolidated offered to allow Comcast to place its own conduit and turn it over to Consolidated as a compromise. Consolidated is happy to perform the make-ready and provide Comcast access.

Sincerely,



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