

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 21-020

EVERSOURCE ENERGY AND CONSOLIDATED COMMUNICATIONS

Joint Petition to Approve Pole Asset Transfer

Order on Objection and Motion Related to Compliance Tariff Filing

O R D E R N O. 26,860

July 25, 2023

On May 12, 2023, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) filed a compliance tariff in this docket. The compliance tariff was filed pursuant to the final ordering clause of Order No. 26,729 (November 18, 2022) and contained tariff language regarding the new Pole Plant Adjustment Mechanism that matched the proposed tariff language presented in the underlying proceeding. See Exh. 70 at Bates page 16.

On June 1, 2023, New England Connectivity and Telecommunications Association, Inc. (NECTA) filed an objection and motion to modify tariff language. On June 12, 2023, Eversource filed a response to NECTA's June 1, 2023, objection and motion.

NECTA argued that a provision of the Pole Plant Adjustment Mechanism Tariff page would be inconsistent with Order No. 26,729 if the transferor's existing pole attachment rates are modified in a separate proceeding. NECTA proposed revised tariff language and requested that the Commission order the tariff language be modified. Eversource argued that the tariff was correct when filed, but acknowledged that the tariff language could become inaccurate if the transferor's existing rates are changed in a separate proceeding. Eversource requested that any tariff revisions be addressed

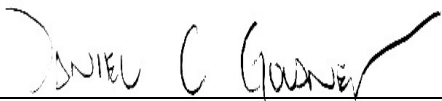
in the future if needed, but also proposed alternate revised language if the Commission grants NECTA's motion.

The Commission reviewed these filings and tariff language in the context of this docket. NECTA and Eversource both agree that a provision of the Pole Plant Adjustment Mechanism tariff would become inaccurate if the transferor's existing rates are modified in a separate proceeding. The Commission notes that the tariff language in question does not bind NECTA's members' pole attachment rates, rather it uses those rates as a credit in a formula that calculates a reconciling rate that will be charged to Eversource's distribution customers in the future. Although the Commission appreciates NECTA's detailed review of the compliance tariff, we conclude that the compliance tariff filing was consistent with the proposed tariff language in the underlying proceeding and was not inconsistent with any Commission order at the time it was filed. We also note that Eversource does not dispute that the tariff language will need to be modified if the transferor's existing rates are modified by a future Commission order. Therefore, the Commission denies NECTA's requests for relief without prejudice to its ability to seek the same or similar relief if the Pole Plant Adjustment Mechanism tariff becomes inaccurate in the future.

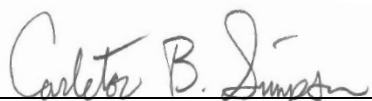
Based upon the foregoing, it is hereby

ORDERED, that New England Connectivity and Telecommunications Association's June 1, 2023 objection and motion to modify tariff language is **DENIED WITHOUT PREJUDICE**.

By order of the Public Utilities Commission of New Hampshire this twenty-fifth day of July, 2023.



Daniel C. Goldner
Chairman



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 21-020

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