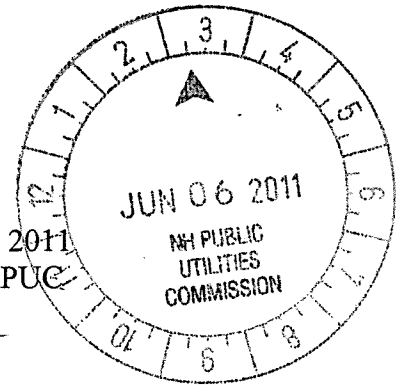


# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** June 6, 2011

**AT (OFFICE):** NHPUC



**FROM:** Randy Knepper, Safety Director

A handwritten signature in black ink, appearing to read "R. Knepper".

**SUBJECT:** Docket No. DT 11-019 Teljet Longhaul LLC  
Petition for a License to Construct and Maintain Fiber Optic Cable  
Over and Across Wilton-Bennington Railroad in Wilton, NH

**TO:** Debra Howland, Executive Director  
Kate Bailey, Director, Telecommunications Division  
Lynn Fabrizio, Staff Attorney

The Safety Division review of the above petition consisted of the following elements:

- Petition contents
- Review of land ownership of existing pole structures.
- Review of NESC code requirements as described in Puc 400 rules
- Review of public need and public impact, including applicability of other State regulations
- Conclusions and Recommendations

On January 13, 2011, Teljet Longhaul LLC (Teljet) petitioned the Public Utilities Commission (Commission), pursuant to RSA 371:17, to construct and maintain fiber optic cable over and across the Wilton-Bennington Railroad in Wilton, NH. Teljet proposes to expand its fiber network to provide telecommunications services to customers in New Hampshire. It is staff's understanding the fiber network will be part of the Network New Hampshire Now infrastructure development, a collaboration of public and private entities, including governmental agencies at the municipal and state level. According to the its website, Teljet operates one of the largest fiber-optic networks in Vermont and New Hampshire, providing broadband services and redundancies to the public. Teljet was certified to provide competitive local exchange carrier services in New Hampshire on August 10, 2010.

On January 25, 2011, the Safety Division conducted a field inspection of the proposed railroad crossing. On March 25, 2011, the Safety Division held a teleconference with Teljet and its engineering contractor to discuss pertinent information missing from the January petition and attachments. Teljet subsequently submitted a revised petition and attachments on April 21, 2011, detailing the profile, pole loadings and general location. The revised petition relocated the proposed railroad crossing.

The existing pole structures are within the municipal right-of-way, off the traveled way and behind the sidewalk. . Teljet has submitted a permit application to the N.H. Department of Transportation (NH DOT) for the railroad crossing but to date has not received permission from the NH DOT but has received approval from the Wilton Bennington Railroad for the proposed crossing.

Teljet avows that the proposed railroad crossing shall be constructed according to the National Electrical Safety Code C2-2007 as required by Puc 1303.07 Installation and Maintenance of Utility Pole Attachments. The construction also meets the standards established by The National Electrical Safety Code C2-2002 as required by Puc 433.01 Standard Practice in Construction, Operation, and Maintenance.

The Safety Division review of the petition and attachments found them to be in conformance with the applicable sections of the NESC code C2-2002 and RSA 373:39. In particular, Teljet portrayed a vertical clearance of at least 27.5 feet from the rail, meeting the required minimums of 23.5 feet and 22 feet. There are no other utilities on this railroad crossing but existing guying was indicated. The loading condition was NESC heavy load conditions (0.5 in radial ice, 4 p/f of wind, 0 deg F) for the 288 fiber optic cable with NESC Grade B construction.

The Safety Division recommends approval of Teljet's petition to the Commission with the following conditions:

- The Commission should require that all future alterations to the crossing that may affect the public conform to the requirements of both the 2002 and 2007 editions of the NESC and be submitted to the Commission 60 days prior to the alteration.
- Teljet should be required to maintain and operate the crossings in conformance with the NESC or risk future revocation of the license.