

**THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

PETITION OF COMCAST OF MAINE/NEW HAMPSHIRE, INC. FOR LICENSE TO MAINTAIN A UTILITY CABLE OVER AND ACROSS THE PUBLIC WATERS OF THE MERRIMACK RIVER BETWEEN UTILITY POLE CECO 51 AND UTILITY POLE CE50, CONCORD, NEW HAMPSHIRE.

TO THE PUBLIC UTILITIES COMMISSION:

Comcast of Maine/New Hampshire, Inc., (“Comcast”) a provider of broadband communications services licensed by the Town of Concord, New Hampshire, hereby petitions the Public Utilities Commission (“Commission”), pursuant to RSA 371:17 for a license to maintain existing broadband communications lines that currently occupy State of New Hampshire Right-of-Way over and across the public waters of the Merrimack River in the City of Concord, New Hampshire.

In support of its petition Comcast states the following:

1. In order to continue to meet the reasonable requirements as part of its obligation to provide broadband communications services to customers within its franchise areas in and around Concord, New Hampshire Comcast owns and utilizes five (5) cables (“Existing Lines”) lashed to a 0.375 inch diameter galvanized steel stranded support wire (assumed to be high strength) with a weight of .273#/ft. The characteristic of each cable are as follows:
 - 96 Count Fiber-Optic Cable, 0.56 inches in diameter, weight of 0.098#/ft
 - 240 Count Fiber-Optic Cable, 0.76 inches in diameter, weight of 0.163#/ft
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 - 0.75 inch Coaxial Trunk Cable, weight of 0.08#/ft, cable is not in service and abandoned in place
2. Comcast’s Existing Lines cross the Merrimack River along the northwest side of Federal Bridge, Bridge I-72 “E. Concord” – (Old Bridge #5). There is no known Commission license previously granted for the existing crossing at this location.
3. These facilities were originally installed between the years of 1968 and 1972 by Telecable (a former cable franchise holder within the City of Concord).
4. The location and design criteria of the existing Comcast crossing can be found on Attachment 1 (Final Revised Petition Drawing) that is attached to a petition submitted by BayRing Communications (“BayRing”) for this same location documented in Commission Docket No. DT-010.
5. Comcast has worked cooperatively with Commission Staff, BayRing, and Unitil Energy Services (“Unitil”) per the recommendations outlined in NH PUC Order No. 25,139. To date Comcast, completed the following:

- Modified its existing attachment so that it is consistent with both the 2002 and 2007 editions of the National Electric Safety Code (“NESC”).
 - Executed an agreement with BayRing that permits the overlash of BayRing’s proposed 216 count fiber-cable onto Comcast’s existing attachment.
 - Through the submission of this petition Comcast desires to obtain a license from the Commission in order that its existing attachment across the Merrimack River in Concord, NH complies with RSA 371:71.
6. There are no NHDES or NHDOT permits necessary specifically for the licensing of this crossing.
 7. The existing crossing will continue to be maintained and operated by Comcast, its affiliates, and contractors.
 8. Comcast submits that the license petition for herein may be exercised without substantially affecting the rights of the public in the public water of the Merrimack River. Minimum safe clearances above the water surface and affected shorelines will be maintained at all times. The use and enjoyment by the public of the Merrimack River will not be diminished in any material respect as a result of the overhead line crossing.

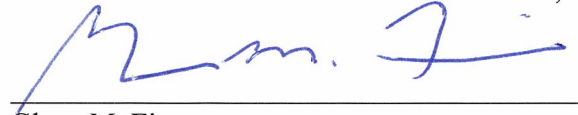
WHEREFORE, COMCAST OF MAINE/NEW HAMPSHIRE, INC. respectfully requests that the Commission:

- a. Find that the license petitioned for herein may be exercised without substantially affecting the public rights in the public water which are the subject of this petition;
- b. Grant Comcast a license bringing its existing attachment in compliance with RSA 371:71 in order that Comcast can continue to maintain its broadband communication lines over and across the public waters of the Merrimack River in Concord, New Hampshire, as specified in this petition; and
- c. Issue and Order *Nisi* and orders for its publication.

Dated in Exeter the 9th day of September, 2010.

Respectfully submitted,

COMCAST OF MAINE/NEW HAMPSHIRE, INC.



Glenn M. Fiore
Senior Construction Manager
Comcast Cable – NorthCentral Division
115 Epping Road
Exeter, New Hampshire 03833
(978) 848-5890