

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

New Hampshire Optical Systems, LLC —  
Petition for an Investigation into Proposed  
Charges for Utility Pole Make Ready

DT 12-107

**PETITION TO INTERVENE OF THE  
CLEC ASSOCIATION OF NORTHERN NEW ENGLAND, INC.**

The CLEC Association of Northern New England, Inc. (“CANNE”) respectfully petitions to intervene in this proceeding pursuant to RSA 541-A:32, New Hampshire Administrative Rules Puc 203.17, and the Order of Notice issued May 11, 2012. In support of its Petition, CANNE states the following:

1. CANNE is a not for profit association of facilities-based CLECs in Maine, New Hampshire and Vermont. CANNE members that operate in New Hampshire both attach as third-party attachers to poles owned by incumbent electric and telephone utilities, and move their existing attachments to facilitate attachment by other third-party attachers.
2. Make-ready work is necessary to ensure safe and reliable attachments to utility poles, and charges for such work are unavoidable expenses for any attacher seeking to attach its facilities. Therefore any action the Commission may take with respect to investigating rates and other terms and conditions for make-ready may affect the rights, duties, privileges, immunities, or other substantial interests of CANNE and its members.
3. To the extent that this is a docket of limited applicability, *i.e.*, a complaint by New Hampshire Optical Systems, LLC (“NHOS”) against a particular CLEC (or multiple, particular CLECs), it should be noticed as such.

4. CANNE members are parties to pole attachment agreements with incumbent utility pole owners, and have made requests for third party make ready when attaching to such poles. To the extent that this docket is an investigation of general applicability into the just and reasonable rates, terms, and conditions for make-ready work, CANNE and its members are affected by and have an ongoing interest in such matters. In that event, CANNE believes that specifying the scope and the scheduling of this docket is critical to ensure that a general investigation regarding make-ready work includes additional issues that CANNE members may have, with both third parties and incumbent pole owners.
5. CANNE hereby requests intervenor status in its own right, and seeks to preserve the rights of its member CLECs to intervene as individual parties if the scope and course of this docket so require.
6. Granting this petition to intervene will not interfere with the prompt and orderly conduct of these proceedings.

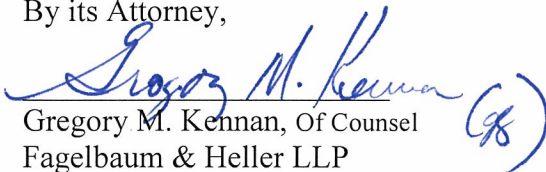
WHEREFORE, CANNE requests that this Commission grant its petition to intervene and such further relief as may be just and equitable.

June 5, 2012

Respectfully Submitted,

CLEC Association of Northern New  
England, Inc.

By its Attorney,

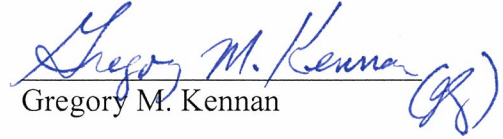
 Gregory M. Kennan, Of Counsel  
Fagelbaum & Heller LLP

20 North Main St., Suite 125  
PO Box 230  
Sherborn, MA 01770  
508-318-5611  
gmk@fhllplaw.com

**Certificate of Service**

I hereby certify that a copy of this Petition to Intervene has been served by electronic or U.S. Mail to the parties on the service list.

June 5, 2012

  
Gregory M. Kennan