

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 12-107

NEW HAMPSHIRE OPTICAL SYSTEMS, INC.

Petition for Investigation into Proposed Charges for Utility Pole Make Ready

PETITION OF
NEW ENGLAND CABLE AND TELECOMMUNICATIONS ASSOCIATION
FOR LIMITED INTERVENTION

NOW COMES New England Cable and Telecommunications Association, Inc. (“NECTA”), by and through its undersigned counsel, and respectfully petitions the New Hampshire Public Utilities Commission (“the Commission”) pursuant to RSA 541-A:32 and N.H. Admin. R. Puc 203.17 to allow NECTA to intervene in the above-captioned docket for the limited purpose of presenting its Motion to Dismiss and/or Motion to Limit Scope of Proceeding. In support of this Petition, NECTA states as follows:

1. NECTA is a non-profit corporation and trade association that represents the interests of most cable television companies and their voice and Internet affiliates in the six state New England region, including New Hampshire.
2. NECTA has offices at the following address: 10 Forbes Road, Suite 440W, Braintree, MA 02184.
3. NECTA has, on many occasions, represented the interests of its members in proceedings before this Commission as a party.
4. Many NECTA member companies or affiliates are third party pole attachers who must incur costs to move their facilities or other wise perform “make ready” work to

accommodate parties such as New Hampshire Optical Systems, Inc. (“the Petitioner” or “NHOS”) who wish to attach their facilities to poles already occupied by NECTA’s members. Inasmuch as the Commission’s May 11, 2012 Order of Notice indicates an intent to conduct a general investigation into make-ready charges, as opposed to a specific investigation and adjudication of the facts alleged by Petitioner against certain unnamed third party attachers, the legal rights, duties, privileges and other interests of NECTA and its members are substantially and specifically affected by the instant docket.

5. The instant petition is timely-filed as the Commission’s May 11, 2012 Order of Notice establishes a deadline of June 5, 2012 for intervention petitions.

6. At the present time, NECTA does not wish to become a full party to the instant docket; instead it wishes to participate for the limited purpose of presenting and advancing arguments in support of its Motion to Dismiss or to Limit Scope of Proceeding which is filed herewith.

7. In the alternative, if the Commission does not limit the scope of this docket as requested in said Motion, NECTA respectfully requests that it be granted full intervenor status.

8. To the extent that NECTA member companies elect to intervene separately in this docket, NECTA will coordinate its participation with such companies to minimize duplication of evidence, examination or argument.

9. Copies of all pleadings and filings in this docket should be provided to the undersigned counsel.

WHEREFORE, NECTA respectfully requests that the Commission:

A. Allow NECTA to intervene in this docket for the limited purpose described above;

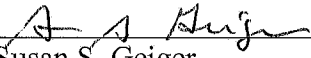
B. In the alternative, in the event that the Commission denies NECTA's Motion to Limit Scope of Proceeding, grant NECTA full intervenor status in the instant docket; and

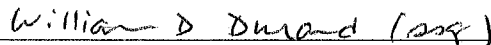
C. Grant such further relief as is appropriate.

Respectfully submitted,

NEW ENGLAND CABLE AND
TELECOMMUNICATIONS ASSOCIATION, INC.

By its attorneys,
Orr & Reno, P.A.

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Dated: June 5, 2012

Certificate of Service

I hereby certify that on this 5th day of June, 2012, a copy of the within Petition was sent by electronic or U.S. mail to persons listed on the Service List.

S S Geiger

Susan S. Geiger

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