

THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 12-107

Petition for Investigation into Proposed Charges for Utility Pole Make Ready

**UNITIL ENERGY SYSTEMS, INC.
PETITION TO INTERVENE**

Unitil Energy Systems, Inc. ("UES" or "Company") hereby respectfully petitions for full party intervenor status in the above captioned proceeding pursuant to RSA 541-A: 32 and N.H. Admin Rules Puc 203.17, and the Order of Notice issued on May 11, 2012. In support of its Petition, UES states the following:

1. UES is a New Hampshire corporation and public utility primarily engaged in the distribution of electricity in the capital and southeastern seacoast regions of New Hampshire. The primary place of business of the Company is 6 Liberty Lane West, Hampton, NH 03842.
2. The Order of Notice states that New Hampshire Optical Systems, Inc. ("NHOS"), a registered competitive local exchange carrier, is in the process of installing approximately 750 miles of fiber-optic cables throughout New Hampshire, and that it will need to attach its cables to approximately 23,000 utility poles. Further, the Order of Notice states that, to make room on the poles for the NHOS attachments, the owners of the poles have directed existing third-party attachers to complete the necessary make-ready work by rearranging their facilities.

3. UES owns approximately 59,000 solely- and jointly-owned utility poles within the State of New Hampshire. The placement and maintenance of cables, equipment and facilities of third parties on to UES-owned poles is subject to and governed by the terms and conditions of Pole Attachment Agreements between the owner of the poles and the parties seeking to attach. These terms and conditions include, among other matters, Pre-Construction Surveys and Make-ready Work.

4. Based upon NHOS's Petition, it is UES's understanding that NHOS may be seeking to attach to a number of UES-owned poles, and thereby may be involved in a disagreement over the cost of Make-ready Work with third parties already attached to those poles. UES has a significant interest in maintaining the safe and orderly attachment of equipment to its poles, and in recovering the costs of such attachments. Notably, the Order of Notice states that one of the issues raised by the Petition is "whether the rates and charges applicable to NHOS should apply to all make-ready work in New Hampshire." Therefore, any action the Commission may take with respect to NHOS's Petition concerning the establishment of Make-ready Work charges or attachment procedures may impact the rights, duties and interests of UES. These interests are substantial and are not adequately represented by any other party to this proceeding.

5. UES requests that it be granted status as a full intervenor in this docket.

6. Granting this Petition to Intervene will not impair the orderly and prompt conduct of the proceedings.

WHEREFORE UES respectfully requests that the Commission grant its Petition to Intervene and such further relief as may be just and equitable.

Respectfully submitted,
Unitil Energy Systems, Inc.



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CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the above Petition to Intervene was sent by overnight mail to the Commission Staff, the Office of Consumer Advocate, Counsel for NHOS, and sent electronically to all other parties on the Service List in DT 12-107.

June 5, 2012



Gary Epler