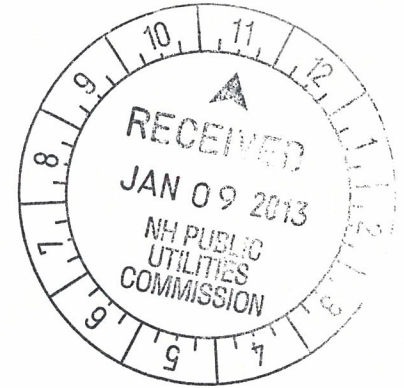


Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429



January 7, 2013

RE: Docket DT 12-215: Petition of Sovernet Fiber Corp. to construct and maintain fiber optic communications cable over and across two different New Hampshire Public Waters.

Dear Ms. Howland,

By petition dated July 16, 2012 in the matter captioned above, Sovernet Fiber Corp. (“SFC”) proposed to construct and maintain a fiber optic telecommunications cable over and across the Mascoma and Connecticut rivers at four locations within the City of Lebanon: the Mascoma River at Glen Road; the Mascoma River at Buckingham Place; the Mascoma River at High Street and Highway 4; and the Connecticut River at Bridge Street. By letter dated September 28, 2012 from Michael C. Ladam, Assistant Director of Telecommunications, Commission staff identified several areas in which the application should be revised or expanded in order for the Commission to proceed:

1. Staff Comment: Army Corps of engineering approval is required for the Connecticut River crossing. Please submit documentation of such approval.
SFC Response: SFC has submitted an application to the United States Army Corps of Engineers (USACE) New England District (NAE) for New Hampshire and Vermont. SFC will file documentation of USACE approvals with the Commission upon receipt.
- 2) Staff Comment: Utility pole numbers in the petition do not always match the utility pole numbers in the attachments. Please correct the petition and attachments for consistency.
SFC Response: SFC has corrected the petition and attachments for consistency.
- 3) Staff Comment: The elevation drawings in many cases show less than 12 inch spacing between the proposed Sovernet cable and its neighbors. Please revise the plan to provide proper minimum clearances.
SFC Response: The elevation drawings have been amended to provide proper minimum clearances.

- 4) Staff Comment: The elevation drawings in many cases show less than 12 inch spacing between other, non-Sovernet cables. These cables should be relocated as part of the Make Ready process and applications should reflect that.
SFC Response: The elevation drawings have been amended and are consistent with the Make Ready process.
- 5) Staff Comment: The proposed Sovernet cable placements do not appear to be consistent with the make ready worksheet provided to Sovernet by FairPoint. Please submit full Form 3 Make Ready forms as received from FairPoint and an engineering plan that is consistent with them.
SFC Response: A completed Form 3 – FairPoint Itemized Pole Make-Ready Work Charges – is attached to this Amended Petition.
- 6) Staff Comment: The Glen Road crossing crosses not only the Mascoma River, but also a railroad track which appears to require separate approval. Please revise the petition and drawings to reflect this.
SFC Response: SFC is in the process of confirming the status of this railroad bed with the rail division of the New Hampshire Department of Transportation (NH DOT). Based on NH DOT railroad map¹ dated April 2012, the railroad tracks near Glen Road have been designated as “State of NH Inactive.” SFC will provide the Commission confirmation of inactive status upon receipt.

An Amended Petition is enclosed for filing, including one (1) original, six (6) copies, and an electronic version (disk). If you have any questions or further requirements regarding this petition, feel free to contact me at 802-460-9133 or LLackey@sover.net.

Respectfully Submitted,


Lawrence Lackey
Director of Regulatory Affairs

Enclosures

¹ NH DOT railroad map may be found at:
http://www.nh.gov/dot/org/aerorailtransit/railandtransit/documents/RailRoad_by_Owner_State_2011.pdf