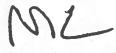


STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: July 8, 2016

AT (OFFICE): NHPUC

FROM:  Michael Ladam, Director, Regulatory Innovation and Strategy

SUBJECT: DT 12-246: Review of Pole Attachment Access Issues

TO: Commissioners
Debra Howland, Executive Director

CC: David Wiesner

Executive Summary: Staff recommends the Commission close this docket without further action. This appears to Staff to accurately reflect the status of this docket and the likely path of any future pole attachment reviews or investigations.

Background and Analysis: This docket was initiated by the Commission in Order No. 25,386 (July 3, 2012) in the context of a more specific investigation into pole attachment issues in Docket DT 12-107. DT 12-107 was initiated following a petition by New Hampshire Optical Systems, LLC (NHOS).

In Order No. 25,449 (January 3, 2013) the Commission stayed DT 12-246 pending further order of the Commission, stating:

The Commission will monitor the development of issues in Docket No. DT 12-107. Once the Commission determines that the specific issues raised by NHOS are sufficiently developed to inform our general investigation and to avoid duplication of effort, the Commission will lift the stay or close this docket on its own motion as appropriate.

Thereafter the Commission closed DT 12-107 by Secretarial Letter (July 19, 2013), noting that the two parties in the docket had reached an agreement. Further, the Secretarial Letter reported that:

NHOS counsel had previously informed the Commission, by letter dated June 3, 2013, that resolution of the segTEL dispute would resolve all make-ready issues within the scope of the Commission's investigation in this docket and that no further investigation by the Commission would be required following such settlement.

Since the closure of Docket DT 12-107, no parties have requested that the Commission re-open the Review of Pole Attachment Issues in DT 12-246. If any such request is made in the future, the Commission may choose to open a new docket and may consider the record developed in these two earlier proceedings.

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