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August 23, 2012

**Via Electronic Mail and Hand Delivery**

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



**Re: DT 12-107; New Hampshire Optical Systems, Inc.  
DT 12-246; Review of Utility Pole Access Issues**

Dear Ms. Howland:

I am writing on behalf of the University System of New Hampshire (“USNH”) in support of New Hampshire Optical Systems, Inc.’s (“NHOS”) objection to the Motions to Dismiss filed on August 13, 2012 by New England Cable & Telecommunications Association, Inc. and CLEC Association of Northern New England, Inc. (“CANNE”) in Docket DT 12-107. As is set forth in USNH’s Petition to Intervene, the Middle Mile Network is part of a federally funded statewide project to bring broadband service to unserved and underserved portions of New Hampshire. The project has strong support from a number of state agencies in addition to other public and private participants.

It is USNH’s understanding that NHOS is seeking the Commission’s assistance to address problems it has encountered in the pole attachment process because of the failure of several entities with existing pole attachments along the route of the Middle Mile Network to move their facilities in a timely fashion as well as the reluctance of one or more pole owners to exercise their rights under their pole attachment agreements. USNH recognizes that, at this point, this proceeding has not been presented as a complaint proceeding under RSA 365:1, but rather has been filed as a request for an investigation pursuant to RSA 365:5. USNH believes that the Commission can play a constructive role in assisting NHOS to resolve these issues with the pole owners and any relevant attaching entities, and that nature of the proceeding should be viewed as a positive reflection of NHOS’s efforts to resolve these issues through constructive

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Debra A. Howland

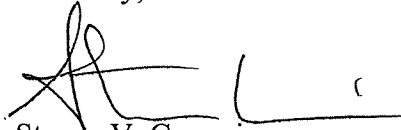
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dialogue, rather than a basis for dismissing NHOS's petition entirely, as suggested by NECTA and CANNE.

Because the issues being raised by NHOS relate specifically to construction of the Middle Mile Network, USNH does not believe that it is appropriate to address them solely as part of a generic investigation or rulemaking proceeding. On the other hand, USNH does believe that the problems encountered by NHOS reflect a broader problem that can and does arise in instances involving projects other than the Middle Mile Network and, therefore, the investigation being undertaken by the Commission in Docket DT 12-246 is necessary and appropriate as well.

Sincerely,



Steven V. Camerino

cc Service List (DT 12-107)  
Service List (DT 12-246)  
Ingo Roemer  
Joanna Young  
Ronald Rodgers, Esq.