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October 24, 2012

**Via Hand-Delivery and Electronic Mail**

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

**Re: DT 12-246, Electric and Telephone Utilities  
Review of Utility Pole Access Issues-  
NECTA Comments and Motion to Stay**



Dear Ms. Howland:

Six (6) copies of this letter and six (6) copies of the enclosed Motion to Stay are submitted on behalf of New England Cable & Telecommunications Association, Inc. (“NECTA”) in response to the October 9, 2012 letter filed by Ms. Bailey in the above-captioned docket. For the reasons set forth in more detail in the enclosed Motion, NECTA respectfully urges the Commission to stay the above-captioned docket until the issues in a related docket, DT 12-107, are fully considered and resolved.

The instant docket was opened based on the same pole attachment issues that gave rise to DT 12-107. Given the commonality of issues involved in both dockets, NECTA believes that the factual record and decisions made in DT 12-107 will help to better inform decisions in the instant docket concerning what, if any, additional pole attachment rules should be promulgated. NECTA believes that, given the number of parties involved in both dockets, it would be an inefficient use of Commission and stakeholder resources and time<sup>1</sup> to pursue rulemaking in this docket before the factual record in DT 12-107 is fully developed and the pole attachment issues are adjudicated in that docket. The record in and disposition of DT 12-107 will help narrow issues in DT 12- 246, and may even obviate the need for any additional pole attachment rules. Thus, the instant docket should be stayed pending the outcome of DT 12-107.

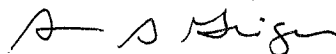
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<sup>1</sup> NECTA notes that the last generic rulemaking proceeding concerning pole attachments, DM 05-172 began in 2005 and effectively concluded in 2009 with the adoption of the current Chapter Puc 1300 rules, although the docket was not officially closed until 2010. See *Letter of Debra A. Howland, DM 05-172, Generic Investigation Into Utility Poles – Docket Closure* (May 13, 2010).

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NECTA appreciates the opportunity to provide these comments. Please contact me if there are any questions about them or about the Motion to Stay filed herewith. Thank you for your assistance.

Very truly yours,



Susan S. Geiger

Enclosures

cc: Service List (electronic mail only)

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