

**THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION**

**DE 21-020**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
d/b/a EVERSOURCE ENERGY AND  
CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND  
COMPANY, LLC d/b/a CONSOLIDATED COMMUNICATIONS**

**Joint Petition to Approve Pole Asset Transfer**

**PARTIALLY ASSENTED-TO MOTION FOR ENLARGEMENT OF TIME  
FOR FILING TESTIMONY AND FOR THE ESTABLISHMENT OF A DEADLINE  
FOR SUBMISSION OF CONSOLIDATED'S DATA RESPONSE**

NOW COMES New England Cable and Telecommunications Association, Inc. ("NECTA"), an intervenor in the above-captioned docket, by and through its undersigned counsel, and respectfully moves the New Hampshire Public Utilities Commission ("the Commission") to enlarge the November 8, 2021 deadline for filing testimony of the Office of Consumer Advocate ("OCA"), Department of Energy Staff ("Staff") and NECTA, and to establish a deadline by which Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications ("Consolidated") must submit its response to NECTA's data request for updated ARMIS information as ordered by the Commission in Order No. 26, 534. In support of this Motion, NECTA states as follows:

1. On September 10, 2021, Chairwoman Martin issued a letter in the above-captioned docket that, *inter alia*, extended the filing deadline for OCA/Staff/Intervenor to November 8, 2021, and cancelled the remainder of the procedural schedule, including the

hearings scheduled for November 3 and 4, 2021, “so that the parties have an opportunity to develop a new procedural schedule.” Chairwoman Martin’s September 10<sup>th</sup> letter also directed the parties, prior to the above-referenced November 8<sup>th</sup> deadline, “to confer regarding a procedural schedule for resolving the outstanding issues in this docket, and report back to [the] Commission with either a proposed revised procedural schedule or a notification that the parties were unable to agree.” The letter also indicated that if the parties could not agree on a procedural schedule, the Commission will establish a new one.

2. As of the date of the filing of this Motion, the parties have not reached agreement on a new procedural schedule for this docket.

3. On October 22, 2021, the Commission issued Order No. 26, 534 which, *inter alia*, directed Eversource to propose a revised cost recovery mechanism (*i.e.*, one that is not precluded by the Settlement Agreement in DE19-057, and that is acceptable to Eversource) by November 15, 2021.

4. Order No. 26, 534 also granted NECTA’s motion to compel Consolidated to produce responses to NECTA’s data requests 2-019 and 3-020, *i.e.*, updates to the 2017 ARMIS report filed by FairPoint Communications for New Hampshire with figures as of December 31, 2020 for the following categories: Gross Investment in Poles; Accumulated Depreciation-Poles; and Depreciation Rate- Poles. The Commission directed Consolidated “to produce the restated figures responsive to NECTA’s requests and file those figures into the docket as a response to a Commission request for specific answers.” However, the order did not state a deadline by which Consolidated was to submit the restated figures.

5. Because the existing deadline for NECTA’s testimony ( November 8, 2021) will not afford NECTA the ability to review and conduct discovery on Eversource’s revised cost

recovery mechanism that is due on November 15, 2021, or on the updated ARMIS report information that Consolidated has not yet produced, NECTA respectfully submits that the deadline for its testimony (and that of OCA and Staff) should be extended to a date beyond the deadline for the submission of Eversource's revised cost recovery mechanism and the deadline for Consolidated's response to NECTA's data requests.

6. The undersigned counsel has made a good faith effort to obtain concurrence in the relief sought herein. As of the time of the filing of this Motion, the parties have indicated their positions on the Motion as follows: Department of Energy Staff assents; Eversource has no objection; the Office of Consumer Advocate has no objection; and Consolidated does not object to an enlargement of time for the filing of testimony, but objects to discovery on Consolidated's updated ARMIS report filing.

WHEREFORE, NECTA respectfully requests that the Commission:


- A. Extend the November 8, 2021 deadline for OCA/Staff/Intervenor testimony to a date that affords NECTA and other parties the opportunity to review and conduct discovery on Eversource's revised cost recovery mechanism;
- B. Establish a deadline by which Consolidated must submit data responding to NECTA's above-described data requests that affords NECTA and other parties the opportunity to conduct discovery on that data prior to filing their testimony; and
- C. Grant such further relief as is appropriate.

Respectfully submitted,

**NEW ENGLAND CABLE AND  
TELECOMMUNICATIONS ASSOCIATION,  
INC.**

By its attorneys,

**Orr & Reno, P.A.**

By: 

Susan S. Geiger (NH Bar #925)  
45 South Main Street  
P.O. Box 3550  
Concord, New Hampshire 03302-3550  
(603) 223-9154  
sgeiger@orr-reno.com

Dated: November 4, 2021

Certificate of Service

I hereby certify that on the date set forth above a copy of the within Motion was sent by electronic mail to persons listed on the Service List in this docket.



Susan S. Geiger

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