



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

### MEMORANDUM

TO: Distribution List (e-mail only), Pole Attachments and Conduit Access Rulemaking to Amend 220 CMR 45.00, D.P.U. 26-10/D.T.C. 26-1

FROM: Kerri DeYoung Phillips and Scott Seigal, Hearing Officers, Department of Public Utilities  
William Bendetson and Kevin Roberts, Hearing Officers, Department of Telecommunications and Cable

RE: Twelfth Extension of the Memorandum of Agreement Between the Department of Public Utilities and the Department of Telecommunications and Cable

DATE: July 28, 2026

CC: Peter Ray, Secretary, Department of Public Utilities  
Ursula Estremera, Secretary, Department of Telecommunications and Cable  
Other Interested Stakeholders  
Docket File, Inquiry on Pole Attachments and Conduit Access on Public Rights-of-Way, D.P.U. 25-10/D.T.C. 25-1

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Concurrently with this memorandum, the Chair of the Department of Public Utilities and the Commissioner of the Department of Telecommunications and Cable (together, the “Departments” or “agencies”) further extend their agencies’ existing Memorandum of Agreement (“MOA”) concerning the regulation of attachments to utility poles, ducts, and conduits pursuant to G.L. c. 166, § 25A, and double poles pursuant to G.L. c. 164, § 34B. This marks the twelfth extension of the MOA, which will remain in full force and effect until January 30, 2027. Although the Departments originally anticipated entering into a final, amended and restated MOA prior to the expiration of the eleventh extension, *i.e.*, by July 31, 2026, and before any revised regulations took effect (Order Opening Rulemaking and Further Notice of Inquiry, D.P.U. 26-10/D.P.U. 25-10-A/D.T.C. 26-1/D.T.C. 25-1-A at 64 (March 6, 2026)), the agencies deem it more administratively efficient to implement an amended and restated MOA concurrent with the final regulations to be issued in D.P.U. 26-10/D.T.C. 26-1. As a result, to avoid a lapse in the existing MOA, the Departments have issued a twelfth extension of the MOA. The twelfth extension is appended to this memorandum. For questions regarding this matter, please contact the Hearing Officers noted above at [kerri.phillips@mass.gov](mailto:kerri.phillips@mass.gov), [scott.seigal@mass.gov](mailto:scott.seigal@mass.gov), [william.bendetson@mass.gov](mailto:william.bendetson@mass.gov), and [kevin.roberts@mass.gov](mailto:kevin.roberts@mass.gov).