



# COMMONWEALTH OF MASSACHUSETTS

## Department of Telecommunications and Cable

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October 26, 2015

Via Electronic and First Class Mail

Mark D. Marini, Secretary  
Department of Public Utilities  
One South Station  
Boston, MA 02110

**RE: Department of Public Utilities Regulation Review, D.P.U. 15-562**

Dear Mr. Marini:

The Department of Public Utilities (“DPU”) requested comment from the public and interested stakeholders on regulations that should be revised under Executive Order No. 562. The Department of Telecommunications and Cable (“DTC”) offers the following comments.

The DTC currently relies on a number of regulatory provisions under Title 220 of the Code of Massachusetts Regulations (“C.M.R.”). As part of its own regulatory review, the DTC intends to promulgate its own version of many of these regulations under Title 207. The DTC also plans to discontinue its use of regulations under Title 220, with the exception of 220 C.M.R. § 45.00, Pole Attachment, Duct, Conduit, and Right-of-Way Complaint and Enforcement Procedures.<sup>1</sup> The DTC in its regulatory review process is not requesting to amend any regulations currently under Title 220, but rather proposing to promulgate, under Title 207, its own version of certain regulations. To facilitate comment from stakeholders and the public, the DTC is referencing Title 220 through its regulation adoption process and providing redlines to explain how the regulations promulgated under Title 207 will be different from the existing regulations upon which the DTC currently relies. When the DTC has completed this regulatory review and adoption process, it will inform the DPU. To the extent the DPU is contemplating

<sup>1</sup> A Memorandum of Agreement (“MOA”) between the DTC and DPU guides the DTC’s continued reliance on 220 C.M.R. § 45.00 *et seq.* The DTC through this regulatory review process is not proposing any changes to 220 C.M.R. § 45.00, to the MOA between the DPU and DTC, or considering adopting its own version of the regulation under Title 207 at this time.



rescinding sections of Title 220 that relate only to telecommunications and cable (220 C.M.R. §13.00; § 15.00; § 16.00; § 37.00; and § 273.00.), the DTC requests that the DPU delay such action until the DTC has completed promulgating its own versions of the regulations.

The DTC appreciates the opportunity to provide these comments. Please feel free to contact the DTC should you wish to discuss these comments further.

Respectfully Submitted,



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