

From: [Phillips, Kerri \(DPU\)](#)
To: [Phillips, Kerri \(DPU\)](#)
Subject: RE: D.P.U. 25-10/D.T.C. 25-1 - Inquiry on pole attachments and conduit access on public rights-of-way
Date: Friday, January 31, 2025 12:30:07 PM

From: Brian Miner <bminer@townofbernardston.org>
Sent: Thursday, January 30, 2025 10:06 AM
To: Brian Miner <bminer@townofbernardston.org>; Karen Kelly <kkelly@townofbernardston.org>; Phillips, Kerri (DPU) <kerri.phillips@mass.gov>
Subject: RE: D.P.U. 25-10/D.T.C. 25-1 - Inquiry on pole attachments and conduit access on public rights-of-way

Answers are next to the questions below

From: Karen Kelly <kkelly@townofbernardston.org>
Sent: Tuesday, January 21, 2025 3:30 PM
To: Brian Miner <bminer@townofbernardston.org>
Cc: Brian Keir <BKeir@townofbernardston.org>
Subject: FW: D.P.U. 25-10/D.T.C. 25-1 - Inquiry on pole attachments and conduit access on public rights-of-way

Hi Brian,

Are we a local entity that manages public ROWs? If so, this inquiry is requesting answers to the questions below...can you help me with this?

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1. For routine utility pole and conduit work:

a. How do state and local officials assess and prioritize applications to conduct utility projects on public ROWs in relation to other projects on public ROWs? Are particular types of projects fast-tracked or given higher priority? If so, describe circumstances in which these scenarios would apply. **All projects are given the same priority.**

b. How do state and local officials communicate with pole and conduit owners on needs for larger or higher-priority projects requiring multiple pole replacements, e.g., intersection and/or roadway expansions, addition of bike lanes, etc.? **We contact the utility in question. Each utility has a contact person that we use.**

c. How do state and local officials review completed utility work for safety, including remediation of safety issues? Identify any common remediation work needed after utility work. **On site inspection**

d. What considerations and/or limitations apply to pole and conduit owners if utility work requires trenching on public ROWs, as well as trenching from poles to local residences and businesses? **The biggest concern usually is the existing underground assets.**

2. How does non-routine utility pole and conduit work as a result of storm response and emergency events impact the safety of this infrastructure and affect schedules for routine work on public ROWs? **The town works closely with the utility to make sure things get done in a timely manner**

3. As the Departments seek to coordinate and facilitate accelerated utility pole and conduit work for broadband deployment projects and clean energy projects, please identify any pertinent scheduling limitations or safety considerations. Additionally, discuss how utility pole and conduit owners can best coordinate with state and local officials. **The best way to go about this would be to contact the DPW directly. 413-648-5424**

From: Phillips, Kerri (DPU) <kerri.phillips@mass.gov>

Sent: Friday, January 17, 2025 3:23 PM

Cc: Seigal, Scott (DPU) <Scott.Seigal@mass.gov>; Bendetson, William (DTC) <William.Bendetson@mass.gov>; Green, Shonda (DTC) <Shonda.Green@mass.gov>

Subject: D.P.U. 25-10/D.T.C. 25-1 - Inquiry on pole attachments and conduit access on public rights-of-way

Good afternoon,

Today, the Department of Public Utilities and the Department of Telecommunications and Cable ("the Departments") jointly opened an inquiry to explore utility pole attachment, conduit access, double pole, and related considerations applicable to utility work conducted on public rights-of-way ("ROWs") in the Commonwealth. As explained in further detail in the attached materials, the Departments request comment and data from a broad range of stakeholders, including state and local entities and officials that manage public ROWs, as well as utility pole and conduit owners as applicable under G.L. c. 164, § 34B and G.L. c. 166, § 25A. Based on the comments and data received in response to this inquiry, the Departments intend to open a rulemaking in a separate proceeding to update our shared regulations, 220 CMR 45.00 *et seq.* Comments and data received may also inform the need for further action by the Departments. The Departments docketed this inquiry as D.P.U. 25-10/D.T.C. 25-1.

The attached documents include the following:

1. Order Opening Inquiry, plus two attachments to the Order involving a Memorandum of Agreement between the Departments;
2. Notice of Filing and Request for Comments ("Notice"); and
3. Memorandum to state and local officials involving the proceeding.

The Departments request comment from interested stakeholders by **March 18, 2025**. Filing instructions are included in the attached materials.

The Department will be issuing multiple emails with the same information in batches to the various interested stakeholders. The Department of Public Utilities will also be sending by first-class mail a copy of the Notice and Memorandum to each municipal lighting plant, Mayor's office, and Select Board.

For questions relating to this proceeding, please do not hesitate to contact me and the other individuals identified in the attached.

Thank you and regards,

Kerri DeYoung Phillips (she/her)
Counsel and Hearing Officer, Legal Division
Department of Public Utilities
One South Station
Boston, MA 02110
Kerri.Phillips@mass.gov