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March 19, 2025

Mark D. Marini, Secretary
Department of Public Utilities
One South Station, 3rd Floor
Boston, MA 02110

Shonda Green, Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118

Re: Comment on D.P.U. 25-10/D.T.C. 25-1

Dear Secretary Marini and Secretary Green,

On January 17, 2025, the Department of Public Utilities (“DPU”) and the Department of Telecommunications and Cable (“DTC”; together, “the Departments”) jointly issued an Order in D.P.U. 25-10 / D.T.C. 25-1 opening an inquiry to explore utility pole attachment, conduit access, double pole, and related considerations applicable to utility work conducted on public rights-of-way (“ROW”) in the Commonwealth of Massachusetts. As part of its investigation, the Departments are examining how existing pole attachment and conduit access processes, including application, survey, make-ready, and complaint processes, may be streamlined or informed by processes applicable in states where the Federal Communication Commission’s (“FCC”) regulations on these issues apply to telecommunications and cable attachments, as well as considerations that would facilitate the deployment of ROW or pole-mounted electric vehicle supply equipment (“EVSE”) throughout the Commonwealth and inform plan filings with DPU in accordance with An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers, St. 2024, c. 239, § 134. The Departments also issued a *Notice Of Inquiry and Request For Comments* in D.P.U. 25-10 / D.T.C. 25-1 on January 17, 2025, requesting written comments on these topics.

The Massachusetts Executive Office of Economic Development (“EOED”) and Executive Office of Energy and Environmental Affairs (“EEA”) appreciate the Departments’ hard work on these topics and for moving expeditiously to deliver meaningful improvements to the pole processes under investigation in this proceeding. The Departments’ work on these topics will help ensure that the Commonwealth remains competitive in the shifting economic climate and provide greater access and more affordable services to Commonwealth residents.

EOED and EEA offer the following comments in support of the Departments’ investigation.

Policy Importance

Ensuring that Massachusetts has efficient and effective pole attachment processes is important to ensuring the competitiveness and economic well-being of the Commonwealth. Specifically, current pole attachment processes could be streamlined to unlock critical economic benefits for Massachusetts residents and businesses from increased broadband competition and access, leading to greater affordability and service. Such improvements will also ensure that the Commonwealth is competitively positioned to attract future investments.

The economic benefits of broadband access are increasingly evident as more people work, learn, and receive services online. Moreover, although broadband infrastructure has now generally reached each of the Commonwealth's 351 cities and towns, Massachusetts Broadband Institute estimates there are still approximately 11,000 individual unserved or underserved locations spread geographically across the state.

Regarding EVSE, clear rules and streamlined processes to deploy EVSE on the ROW and utility poles will be vital ensure that the Commonwealth meets its electric vehicle goals and greenhouse gas emission limits and sublimits under chapter 21N of the Massachusetts General Laws. The Massachusetts Clean Energy and Climate Plans for 2025 and 2030 (CECP) specifically calls for the deployment of 75,000 public EVSE by 2030, inclusive of charging open to all members of the public and charging open to specific members of the public.¹ As of the end of 2024, roughly 9,000 EVSE open to all members of the public were deployed in Massachusetts.²

Moreover, the importance of ensuring convenient access to charging facilities for all Massachusetts residents and the acute barriers faced in providing convenient access to individuals without off-street parking were identified in the first biennial report developed by the Electric Vehicle Infrastructure Coordinating Council ("EVICC") and provided to the Massachusetts General Court on August 11, 2023, pursuant to St. 2022 c. 179 § 81(d) ("First EVICC Assessment").³ In response, the Healey-Driscoll administration ("Administration") provided American Rescue Plan Act funding to the Massachusetts Clean Energy Center to develop and implement an On-Street Charging Solutions Program, which provides technical and financial support to municipalities interested in piloting on-street charging stations.⁴

Last, the Administration recently filed the Municipal Empowerment Act, which includes provisions intended to support enhanced removal of double poles by giving municipalities enforcement authority and empowering the Departments to establish a streamlined double poles process.⁵ The desire to address the current double poles backlog and improve the related processes is driven, in large part, by the number of customer complaints received by municipalities regarding double poles. EOED and EEA encourage the Departments to explore solutions in this investigation

1 CECP at 32, available at: <https://www.mass.gov/doc/clean-energy-and-climate-plan-for-2025-and-2030/download>.

2 See U.S. Department of Energy, Alternative Fuels Data Center, accessed on January 10, 2025, available at: <https://afdc.energy.gov/>.

3 First EVICC Assessment at 53, 56; available at: <https://www.mass.gov/doc/evicc-final-assessment/download>.

4 See press release, available at: [https://www.mass.gov/news/healey-driscoll-administration-announces-50-million-investment-in-electric-vehicle-charging-infrastructure#:~:text=The%20%2450%20million%20in%20ARPA,Resources%20\(DOER\)%2C%20testing%20equipment](https://www.mass.gov/news/healey-driscoll-administration-announces-50-million-investment-in-electric-vehicle-charging-infrastructure#:~:text=The%20%2450%20million%20in%20ARPA,Resources%20(DOER)%2C%20testing%20equipment).

5 See press release, available at: <https://www.mass.gov/news/healey-driscoll-administration-files-municipal-empowerment-bill-to-enhance-ability-of-local-leaders-to-deliver-high-quality-services-for-their-communities>.

or subsequent rulemakings to address the administrative burden of double poles on municipalities and/or the double poles backlog. EOED and EEA specifically encourages the Departments to explore solutions aligned with the Municipal Empowerment Act such as a “single visit transfer” program, which have seen success in other jurisdictions.⁶

Desired Outcomes

As a result of the joint investigation and rulemaking, EOED and EEA encourage the Departments to explore implementation of both short-term solutions and long-term solutions. Below is additional context and examples of short-term and long-term solutions.

- Short-Term Solutions: EOED and EEA recommend the Departments consider pole attachment process improvements that will allow Massachusetts to streamline broadband deployments eligible for federal funding that require a construction completion by December 31, 2026. EOED and EEA specifically encourage the Departments to explore opportunities to shrink deployment timelines on jointly-owned poles by consolidating review processes and approval steps, establishing standard processing timelines, and enabling greater cost certainty for attachers.
- Long-Term Solutions: EOED and EEA recommend the Departments collaborate on permanent regulatory changes that build upon successful models within the Commonwealth or other states to provide sustainable improvements to pole attachment processes. EOED and EEA strongly encourage moving towards a version of the One-Touch-Make-Ready model for pole attachments, involving a single site visit for all pole-related construction work, tailored to Massachusetts’ specific context. Further, there may be opportunities for the National Joint Utilities Notification System (“NJUNS”), or a similar tool, to be leveraged for attachers and municipalities, including as a potential means to allow greater visibility into the status and timelines associated with double pole projects.

Suggested Timing & Next Steps

As discussed above, timely progress towards the development and implementation of both short-term and long-term solutions in this investigation and subsequent rulemakings is important to ensuring the competitiveness and economic well-being of the Commonwealth. EOED and EEA believe the below timelines and outcomes represent the ideal path forward for both:

- On or around January 1, 2026: Begin implementing short-term solutions to the pole attachment processes. Meaningful improvements made by this date will ensure, among other outcomes, that broadband deployment can occur efficiently under Massachusetts’ \$147MM in Broadband Equity Access and Deployment (“BEAD”) Program.⁷
- On or around July 1, 2026: Final regulations promulgated for permanent, long-term solutions to improve the pole attachment processes with an effective date on or around January 1, 2027.

⁶ See, e.g., Connecticut Public Utilities Regulatory Authority, Decision, December 21, 2025, available at: [https://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/83606d40e3c1e2c28525891f0056b76c/\\$FILE/210729-122122.pdf](https://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/83606d40e3c1e2c28525891f0056b76c/$FILE/210729-122122.pdf).

⁷ See BEAD Program website, available at: <https://broadbandusa.ntia.doc.gov/funding-programs/broadband-equity-access-and-deployment-bead-program>.

EOED and EEA thank the Departments again for their hard work and commitment to improving the pole attachment process.

Regards,

Sarah Stanton

Sarah Stanton
Undersecretary of Economic Strategies
Executive Office of Economic Development

Michael Judge

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