

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

CRC Communications LLC, d/b/a OTELCO,

Complainant,

v.

Massachusetts Electric Company d/b/a National
Grid, and Verizon New England Inc.,

Respondents.

D.T.C. 22-4

OTELCO's SECOND SET OF INFORMATION REQUESTS TO NATIONAL GRID

CRC Communications LLC, d/b/a OTELCO, serves this second set of information requests upon Massachusetts Electric Company d/b/a National Grid.

Definitions and Instructions

1. "National Grid," "you," or "your" refers to Massachusetts Electric Company d/b/a National Grid, and its subsidiaries, operating companies, affiliates, directors, officers, employees, and agents, unless otherwise indicated.
2. "OTELCO" refers to CRC Communications LLC, d/b/a OTELCO, and its subsidiaries, operating companies, affiliates, directors, officers, employees, and agents, unless otherwise indicated.
3. "Owner," as used in these Information Requests, refers to National Grid.
4. "Owner Poles," as used in these Information Requests, means any poles located in Massachusetts that are owned by National Grid, or jointly owned, or jointly used by National Grid and Verizon New England Inc.
5. "Non-compliance" refers to any facilities attached to Owner's poles that do not conform to governing specifications, including but not limited to the National Electrical Safety Code ("NESC"), the Telcordia Manual of Construction Blue Book, and/or any other Owner construction standards or specifications.

6. “Third party attacher(s)” refer to any person, corporation, or other entity or its agents or contractors seeking to fasten or affix any attachment to Owner Poles.

7. “Identify” or “identity” when used in connection with (a) a natural person means to state the person’s name, employer, and business address; (b) a corporation or other business entity means to state the name of the entity, “d/b/a” designation if any, address of its principal place of business and principal place of business in Massachusetts; (c) a document means to provide the identities of the author(s) and addressee(s), date, and a description of its contents; and (d) a communication means to provide the identities of the participants, date, and a description of its contents.

8. “Documents” means any written, printed, typed or visually reproduced material of any kind, whether or not privileged, and includes but is not limited to the original and all copies of any and all letters, reports, memoranda, electronic mail or e-mail, files, communications, correspondence, agreements, bills, receipts, studies, analyses, telegrams, telexes, minutes, bulletins, instructions, literature, memoranda of conversations, notes, notebooks, diaries, data sheets, financial statements, work sheets, work papers, recordings, tapes, drawings, graphs, indexes, charts, telephone records, photographs, phonographic records, computer files, other data compilation, or any other written, recorded, transcribed, punched, taped, filed or other graphic matter including any draft of the foregoing items and any copy or reproduction of any of the foregoing items upon which any notation, work, figure, or form is recorded or has been made which does not appear on the original or as to whose existence, either past or present, the responding party has any knowledge or information.

9. “Relating to,” “relates to,” “referring to,” and “refers to” mean, without limitation, relating to, concerning, constituting, mentioning, referring to, describing, summarizing, evidencing, listing, relevant to, demonstrating, tending to prove or disprove, or explain.

10. The connectives “and” and “or” mean “and/or” and are intended to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

11. The use of the singular includes the plural, and vice versa.

12. The use of one gender includes all others, appropriate in the context.

13. If any part of a document is responsive to any request, the whole document is to be produced.

14. Any document that differs in any way from another document, including by means of marginal notes, handwritten notes, underlining, date stamps, received stamps, endorsed or filed stamps, drafts, revisions, modifications and other versions of a final document is a separate and distinct document and must be produced.

15. If you are unable to produce a document in response to any request, so state, and indicate whether the document ever existed, or whether the document once existed but cannot be

located. If any document once was, but is no longer in your possession, custody or control, state the whereabouts of any such document when last in your possession, custody or control, state the date and manner of its disposition and identify its last known custodian. To the extent any documents are lost or destroyed, produce any documents which support your assertion that the document was lost or destroyed, and provide the date thereof.

16. To the extent you claim any document, communication, or information described herein is privileged or otherwise exempt from disclosure, or to the extent that you object to the production of any of the documents, please identify each and every document to which any claim of privilege or objection to production is asserted by identifying the document, communication, or other information and for each such document, communication, or information state the nature and basis for each claim of privilege or exemption, or objection.

17. An objection to any portion of a request does not negate the obligation to respond to all remaining portions.

18. Please provide responses in electronic form unless documents are not available electronically or some other reason makes electronic responses impracticable. In the case of databases, spreadsheets, or calculations done on Excel or other programs, please provide the native computer files.

19. Electronically-stored information should be produced in the organizational categories and formats ordinarily used in your business.

20. These information requests are continuing in nature and, thus, you are under a continuing duty to promptly supplement, correct or revise any response provided when the passage of time or change of circumstances would require a response to be supplemented, corrected or revised.

Second Set of Information Requests

OTELCO-NG-2-1

- a) Refer to National Grid Response to OTELCO's Complaint ("Response") at page 22, which discusses the creation of "a weak spot in the pole where the wood may slot along the wood grain structure." Please provide any specifications, standards, and/or training materials addressing the installation of an additional attachment on the opposite side of the pole, including but not limited to any guidance or rules concerning additional hole(s) in the pole in line with the existing holes, and the potential for creation of "a weak spot in the pole where the wood may slot along the wood grain structure."
- b) Refer to National Grid Response at page 22, which discusses "[p]otential physical conflicts between the hardware, bolts, nuts washers and wire support hardware...created by the closely spaced hardware present when a pole is boxed." Please provide any specifications, standards, and/or training materials addressing these potential physical conflicts created by closely spaced hardware present when a pole is boxed.

OTELCO-NG-2-2

Refer to National Grid Response at pages 5 and 17. How does National Grid define the “useful life” of a pole? Please include in your response an explanation of at what point National Grid considers a pole to be “beyond” its “useful life?”

OTELCO-NG-2-3

Refer to National Grid Response at page 25, which states that “Verizon is responsible for removing the last piece of wood from the old pole after all transfers to the new pole are complete.”

- a) Is Verizon complying with its contractual obligation for removing such poles, including poles covered by joint use/ownership agreements?
- b) Does Verizon remove the poles within the applicable timeframe?
- c) What is the average number of days Verizon takes to remove a pole once Verizon is notified of the need to transfer to a new pole?
- d) How long does it typically take Verizon to remove a pole once the next highest line is transferred?

OTELCO-NG-2-4

When was the last time National Grid updated its pole attachment contracts, agreements, and internal pole processes (e.g., Joint Ownership Agreements, Pole Attachment Agreements, vegetation management and storm restoration processes, mutual aid agreements, collective bargaining agreements, etc.)? Does National Grid have a planned frequency for updating such documents and processes?

OTELCO-NG-2-5

Refer to Information Request OTELCO-NG-1-14, and National Grid's response. National Grid states that it does not have any documents, including agreements, emails, or letters, that address opposite side construction (also known as "boxing") or attaching below Verizon. Does National Grid's joint ownership agreement with Verizon or any document related to that agreement address boxing or attaching below Verizon? If so, please: (1) produce such documents; and (2) amend National Grid's response to OTELCO-NG-1-14 to be fully responsive and provide all relevant documents in National Grid's possession, custody, or control.

OTELCO-NG-2-6

Refer to Information Request OTELCO-NG-1-7, and National Grid's response.

- a) Did any of the accidents identified in National Grid's response to OTELCO-NG-1-7 involve poles with communications lines on both sides of the pole i.e., poles that were boxed? If so, please identify and describe the nature of those accidents.
- b) In addition, please identify and describe the nature of any accidents involving boxing on Owner Poles in Massachusetts in the last ten (10) years.

OTELCO-NG-2-7

Refer to DTC Information Request DTC-NG 1-2 and National Grid's response, including Attachment DTC-NG-1-2 (Joint Ownership Agreement by and between National Grid and Verizon). Please provide all communications between National Grid and Verizon regarding the boxed poles identified in Exhibit F to the Declaration of David Allen, and state whether the boxing was regarded as interference pursuant to IOP #8(1). If the boxing was not regarded as interference, why was it not?

OTELCO-NG-2-8

Refer to DTC Information Request DTC-NG-1-34 and National Grid's response, which said that "National Grid has not authorized any third-party to box out a pole due to safety concerns." Has National Grid allowed Verizon or any other pole owner to "box out" a pole?

OTELCO-NG-2-9

Refer to DTC Information Request DTC-NG-1-35 and National Grid's response. Does National Grid contract with any party other than Osmose Utilities Services, Inc. to perform this work (i.e., field surveys and inspections for submitted third-party applications) in Massachusetts?

OTELCO-NG-2-10

Refer to OTELCO Information Request OTELCO-NG-1-19 and National Grid's response. Does National Grid bill a third-party attacher for line transfers to a new pole when, as explained in subpoint (a) to National Grid's response to OTELCO-NG-1-19, National Grid has not billed the cost of the new pole the attacher?

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

CRC Communications LLC, d/b/a OTELCO,

Complainant,

v.

Massachusetts Electric Company d/b/a National
Grid, and Verizon New England Inc.,

Respondents

D.T.C. 22-4

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July 2022, I served OTELCO's Second Set of Information Requests to National Grid upon each person designated by the official service list compiled by the Secretary in this proceeding listed below:

Shonda D. Green, Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: dtc.efiling@mass.gov

William Bendetson
Presiding Officer
Legal Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: william.bendetson@mass.gov

Sean Carroll, General Counsel
Legal Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: sean.m.carroll@mass.gov

Lindsay DeRoche, Director
Competition Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: lindsay.deroche@mass.gov

Joseph Tiernan, Administrator of Special Projects and Data Analytics
Competition Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: joseph.tiernan@mass.gov

Michael Mael
Analyst, Competition Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: michael.mael@mass.gov

Marina Levy, Data Analyst
Competition Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: marina.levy@mass.gov

Joslyn Day, Director
Consumer Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: joslyn.day@mass.gov

Corey Pilz, Deputy Director
Consumer Division
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
Email: corey.r.pilz@mass.gov

Maria T. Browne
Davis Wright Tremaine LLP
1301 K Street NW, Suite 500 East
Washington, D.C. 20005
Telephone: (202) 973-4281
Email: mariabrowne@dwt.com

Courtney T. DeThomas
Davis Wright Tremaine LLP
1301 K Street NW, Suite 500 East
Washington, D.C. 20005
Telephone: (202) 973-4288
Email: courtneydethomas@dwt.com

Chanelle Perry
Davis Wright Tremaine LLP
1301 K Street NW, Suite 500 East I
Washington, D.C. 20005
Telephone: (202) 973-4367
Email: chanelleperry@dwt.com

Andrea G. Keefe, Esq.
Senior Counsel
National Grid USA Service Company, Inc.
40 Sylvan Road
Waltham, MA 02451
Telephone: (781) 907-2123
Email: andrea.keefe@nationalgrid.com

Alexander W. Moore, Esq.
Verizon New England Inc.
6 Bowdoin Square, 9th Floor
Boston, MA 02114
Telephone: (857) 415-5130
Email: Alexander.w.moore@verizon.com

Terrence Toland
Agreement Manager
Verizon New England, Inc.
6 Bowdoin Sq Floor 6
Boston, Massachusetts 02114
Telephone: (978) 372-4018
Email: Terrence.Toland@one.verizon.com

Joy Banks
Manager, Third Party Attachments
National Grid
40 Sylvan Road
Waltham, MA 02451
Telephone: (617) 949-6134
Email: Joy.banks@nationalgrid.com

Jonathan Goldberg
General Counsel
Department of Public Utilities
1 South Station
Boston, MA 02110
Email: Jonathan.Goldberg@mass.gov

Sandra Merrick
Assistant General Counsel
Department of Public Utilities
1 South Station
Boston, MA 02110
Telephone: (617) 519-3931
Email: sandra.merrick@mass.gov

Kerri DeYoung Phillips
Hearing Officer
Department of Public Utilities
1 South Station
Boston, MA 02110
Telephone: (617) 305-3611
Email: Kerri.Phillips@mass.gov

Jonathan Dinerstein
Assistant Attorney General
Energy & Telecommunications Division, Energy & Environment Bureau
Massachusetts Office of the Attorney General
One Ashburton Place
Boston, MA 02108
Telephone: (617) 963-2000
Email: Jonathan.Dinerstein@mass.gov

Adriana Bakhos
Litigation Support Specialist
Energy & Telecommunications Division, Energy & Environment Bureau
Massachusetts Office of the Attorney General
One Ashburton Place
Boston, MA 02108
Telephone: (617) 963-2000
Email: adriana.c.bakhos@mass.gov

Brendan P. Vaughan
Keegan Werlin LLP
99 High Street, Suite 2900
Boston, MA 02110
Telephone: (617) 951-3761
Email: bvaughan@keeganwerlin.com

Michael J. Hall, Esq.
Stackpole & French Law Offices
P.O. Box 819
Stowe, Vermont 05672
Telephone: (802) 253-7339; (802) 904-3389
Email: mhall@stackpolefrench.com

David C. Soutter, Esq.
Director of Public Policy and Regulatory Affairs
New England Cable & Telecommunications Assn., Inc.
53 State St., 5th Floor
Boston, MA 02109
Telephone: (781) 843-3418
Email: dsoutter@necta.info

Kevin F. Penders, Esq.
Keegan Werlin LLP
99 High Street, Suite 2900
Boston, Massachusetts 02110
Telephone: (617) 951-1400
Email: kpenders@keeganwerlin.com

Matthew C. Campbell, Esq.
Unitil Service Corp.
6 Liberty Lane West
Hampton, NH 03842
Telephone: (602) 773-6544; (603) 773-6543
Email: campbellm@unitil.com

Steven Frias, Esq.
Keegan Werlin LLP
99 High Street, Suite 2900
Boston, Massachusetts 02110
Telephone: (617) 951-1400
Email: sfrias@keeganwerlin.com

Gregory M. Kerman
Fagelbaum & Heller LLP
20 N. Main St., Suite 125
P.O. Box 230
Sherborn, MA 01770
Telephone: (508) 318-5611
Email: gmk@fhllplaw.com

Christopher E. Bean
Manager-Government Relations
Verizon New England Inc.
6 Bowdoin Square, 9th Floor
Boston, Massachusetts 02114
Telephone: (857) 415-5161
Email: christopher.e.bean@verizon.com

Respectfully submitted,

/s/

Maria Browne
Davis Wright Tremaine, LLP
1301 K Street, N.W., Suite 500-E
Washington, DC 20005