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July 20, 2022

Shona D. Green, Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118

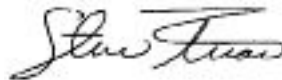
Re: D.T.C. 22-4 – CRC Communications LLC d/b/a OTELCO v. Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc.

Dear Ms. Green,

On behalf of Massachusetts Electric Company d/b/a National Grid (“National Grid” or the “Company”), enclosed are the Company’s responses to the First Set of Information Requests issued by the Department of Public Utilities.

Please contact me with any questions.

Very truly yours,



Steven Frias

cc: William Bendetson, Hearing Officer, Department of Telecommunications and Cable Service List, D.T.C. 22-4

Information Request DPU-NG-1-1

Request:

Refer to National Grid's Response to CRC Communications LLC, d/b/a OTELCO's ("OTELCO's") Complaint ("Response") at 9-10, 23.

- a. For the five municipalities identified by National Grid, please explain whether any of the municipalities prohibit or limit boxing on utility poles. If so, identify and provide a copy of the applicable municipal requirement(s), code(s), standard(s), or by-law(s) that addresses boxing for each municipality.
- b. For all other municipalities within National Grid's service territory, explain whether the Company is aware of any municipalities that prohibit or limit boxing on utility poles and, if so, identify those municipalities.

Response:

- a) National Grid is not aware of the five municipalities' position with respect to prohibitions or limitations on boxing on utility poles.
- b) National Grid is not aware of the position of other municipalities in National Grid's service territory with respect to prohibitions or limitations on boxing on utility poles.

Municipalities in National Grid's service territory grant permitting rights for any work requested related to third party attachments. The requirements to obtain such permits are not defined by National Grid.

Information Request DPU-NG-1-2

Request:

Refer to National Grid's Response at 22-23, 25. For emergency pole replacements and non-emergency pole replacements, both storm-related and unrelated to storm events, please:

- a. describe in detail the current pole attachment transfer and notification process in Massachusetts for National Grid solely-owned and jointly-owned poles; and
- b. provide a detailed explanation for how OTELCO's proposals for boxing and wire placement will make the pole attachment transfer process more difficult and complicated.

Response:

- a. The current pole attachment transfer and notification process in Massachusetts for National Grid solely-owned and jointly-owned poles is managed in the National Joint Use Notification System (NJUNS). NJUNS is a not-for-profit consortium of utility companies created to provide "efficient utility communication." NJUNS provides software as a service for member utilities to communicate and track field workflow regarding joint utility ventures, including: joint pole administration; joint trench coordination; and large project notification. NJUNS is utility funded, utility managed, and utility driven. The electronic notification system provides top-down notifications of "next to go" transfers, alleviating overlapping workers in the field, reducing customer costs resulting from multiple truck rolls, and ensuring the completion of all transfers in the communication space prior to Verizon transferring their lines to the new pole, safely removing the pole butt, and restoring the site to its original condition.
- b. As described below, OTELCO's proposals for boxing and wire placement below Verizon complicates the pole transfer by: disrupting the agreed upon pole attachment transfer process; increasing operations costs; prolonging the cycle time of licensing for attachers; compromising the safety of communication workers; and increasing storm restoration times.

1. **Disrupts the agreed upon NJUNS pole attachment transfer process resulting from OTELCO attaching below or boxed to Verizon.** This practice would prohibit Verizon from completing the pole butt removal and restoration of the site on the “last to go” NJUNS step because OTELCO’s wires/boxing would need to be transferred before Verizon’s NJUNS work can be completed.
2. **Drive increased operations costs as a result of additional trucks to remediate the NJUNS completion process.** Additional resources will be required during the maintenance and storm restoration process to access opposite side construction in areas that are potentially inaccessible without an additional crew and bucket truck. This will also increase vegetation/trimming costs. These costs would, in turn, be passed on to National Grid’s customers and increase rates.
3. **Prolong the cycle time of licensing for attachers.** If OTELCO attaches below Verizon, that would require OTELCO to be notified and not only transfer their wires, but reconstruct the boxing, after Verizon transfers and prior to the Verizon executing the pole butt removal.
4. **Compromise the safety of communication workers who may not use bucket trucks and rely on the gaffing process and manually climbing poles.** The boxing process impedes the ability to climb poles and puts the safety of workers at risk. Opposite side construction is also challenging to access due to terrain and vegetation..
5. **Increased storm restoration times will occur if boxing is generally permitted.** This will occur particularly during harsh weather conditions with ice and snow obstructing the work sites which would require removal prior to any execution of work. Additionally, when poles fall with opposite side construction/boxing, it can be detrimental and cause a domino effect with neighboring poles, resulting in a highly dangerous situation of live power lines being caught up in communication wires. This situation would not occur from a single, unboxed freefalling pole.

Information Request DPU-NG-1-3

Request:

Refer National Grid's Response at 22-23, 25; and to Double Utility Poles, D.T.E. 03-87, Massachusetts Electric Company and Nantucket Electric Company Double-Pole Report at 2 (May 27, 2022).

- a. Please explain whether the National Joint Use Notification System ("NJUNS") database accommodates the use of boxing and alternative wire placements relative to the telephone company wires ("alternative wire placements") in the system.
- b. Provide an illustrative screenshot from NJUNS of an electronic transfer notification under the current pole transfer process for National Grid-owned poles.
- c. If the NJUNS database accommodates the use of boxing and alternative wire placements in the system, provide an illustrative screenshot of an electronic transfer notification for National Grid-owned poles on which those attachment methods are utilized.
- d. If the NJUNS database does not accommodate the use of boxing and alternative wire placements in the system, describe and provide support for any anticipated costs to update NJUNS to account for those attachment methods. Additionally, explain how those costs would be allocated between major pole owners.

Response:

- a. The National Joint Use Notification System ("NJUNS") database is not currently designed to accommodate the use of boxing and alternative wire placements relative to the telephone company wires ("alternative wire placements") in the system. Verizon is currently the "last to go" designee in National Grid and Verizon Joint Owned territories.
- b. Please see Attachment DPU-NG-1-3 for the screen shot.
- c. The NJUNS database does not accommodate the use of boxing and alternative

wire placements in the system, for National Grid-owned poles on which those attachment methods are utilized.

- d. The anticipated costs to update NJUNS to account for alternative attachment methods would be estimated at \$250,000 and the time to build the adjustments six to eight months. The changes would need to be approved by all NJUNS utility partners across the United States. The cost would be billed by NJUNS and shared across pole owners. These in turn would be passed through to customers through rates.

Ticket - PT5202167 - Transfer (PT) - PT:PT-MARI

Ticket #  Creator  NTG Member  Priority \*

Status  Owner  Start Date  Pole/Asset #

Details Poles/Assets Associations Parties

^ Details	^ Asset 1	^ Dynamic Attributes
Work Requested Date <input type="text" value="07-11-2023"/>	House number <input type="text" value="5"/>	Billable Job <input type="checkbox"/>
State <input type="text" value="Massachusetts"/>	Street1 <input type="text" value="Dunstable St"/>	Set Date <input type="text" value="07-11-2022"/> 00:00
County <input type="text" value="Essex"/>	Cross street <input type="text" value="Chester St"/>	TELCO Route Number <input type="text"/>
Place <input type="text" value="Lawrence"/>	Latitude <input type="text"/>	ELCO Route Number <input type="text"/>
Contact Name <input type="text" value="Justin Prasol"/>	Longitude <input type="text"/>	TELCO Job Id <input type="text"/>
Contact Phone <input type="text"/>	Zip code <input type="text"/>	ELCO Job Id <input type="text" value="30566731"/>
Contact Email <input type="text" value="Justin.prasol@nationalgrid.com"/>	Private property <input type="checkbox"/>	DOT Permit Number <input type="text"/>
Reference Id <input type="text"/>	Pre existing <input type="checkbox"/>	TELCO JPP JUA EON Number <input type="text"/>
Misc Id <input type="text"/>		ELCO JPP JUA EON Number <input type="text"/>
# of Poles/Assets <input type="text" value="1"/>		TELCO Pole Number <input type="text"/>

^ Steps

6 rows

#	Updated On	Member	Job Type	Status	Interval	NTG Start	Response Request	Completed On	Field Completed On	
1	07-15-2022 08:58	NGMA	SET POLE	Complete	16	07-16-2022	07-31-2022	07-15-2022	07-15-2022	
2	07-15-2022 08:58	NGMA	TRANSFER	Complete	16	07-16-2022	07-31-2022	07-15-2022	07-15-2022	
3	07-15-2022 08:58	NPSLMA	TRANSFER	NTG	16	07-16-2022	07-31-2022			
4	07-15-2022 08:58	CMCTNR	TRANSFER	Pending	16		08-16-2022			
5	07-15-2022 08:58	VZNEDR	TRANSFER	Pending	16		09-01-2022			
6	07-15-2022 08:58	VZNEDR	PULL POLE	Pending	16		09-17-2022			

Information Request DPU-NG-1-4

Request:

Refer to National Grid's response at 4. Please explain whether existing contracts or collective bargaining agreements with National Grid employees and external contractors limit the use of boxing or alternative wire placements.

Response:

As National Grid prohibits or discourages use of both practices, existing contracts and collective bargaining agreements with National Grid employees and external contractors do not contain language or provisions that limit or address boxing and alternative wire placements.

Information Request DPU-NG-1-5

Request:

To the extent the Department of Telecommunications and Cable allows OTELCO's make-ready proposals in relation to boxing and alternative wire placements, please confirm whether this will require revisions to the Company's existing contracts, agreements, and internal processes (e.g., Joint Ownership Agreements, Pole Attachment Agreements, vegetation management and storm restoration processes, mutual aid agreements, collective bargaining agreements, etc.) and the anticipated process(es) and timeline(s) for such revisions.

Response:

As set forth in National Grid's opposite-side construction, or "boxing" policy provided in response to Information Request DTC-NG-1-32, specifically Attachment DTC-NG-1-32, boxing is prohibited except under a very limited set of circumstances because the Company's operations management has determined, in the exercise of its expertise in the field of utility operations, that the practice would reduce the reliability of the electric distribution system and impact the safety of the Company's employees.

It is established precedent of the Department of Public Utilities, applicable also to the Department of Telecommunications and Cable ("DTC" or "Department"), that within a substantial range, utility policies and decisions are a matter of determination by company management. *Fitchburg Gas and Electric Light Company v. Department of Public Utilities*, 375 Mass. 571, 578 (1971); see also *Western Massachusetts Electric Company*, D.T.E. 03-82, at 17 (2004). As the DTC's regulatory function in relation to pole attachment regulation does not allow for intrusion into the day-to-day management and operations of utilities, National Grid urges the Department to defer to the judgement of the Company's operations management to ensure safe and reliable service by adhering to its policy related to opposite side construction. See *Bay State Gas*, D.T.E. 05-27, at 39, 46 (2006) (deferring appropriate approach for replacement of utility's unprotected steel infrastructure to utility's management judgment).

Notwithstanding the foregoing, a decision of the DTC to allow OTELCO's make-ready proposals in relation to boxing and alternative wire placements will require revisions to the Company's existing contracts, agreements, and internal processes (e.g., Joint Ownership Agreements, Pole Attachment Agreements, Section 5 SPECIFICATIONS, vegetation management and storm restoration processes, mutual aid agreements, collective bargaining agreements, etc.). The anticipated process(es) and timeline(s) for such revisions would include:

1. Revisions to the Company's existing contracts, agreements, and internal processes. Anticipated timeline for renegotiation and training estimated at 6 months.
2. Revisions to Joint Ownership Agreements, Pole Attachment Agreements. Anticipated timeline for renegotiation and amendments 10 months.
3. Revisions to National Grid's vegetation management cycle and internal processes. Anticipated timeline estimated at 12 months as to incorporate additional trimming requirements.
4. Revisions to storm restoration processes, mutual aid agreements, collective bargaining agreements, and training associated with such changes. Anticipated timeline estimated at 6 months, with significant impacts to storm restoration expectations.
5. Revisions to the existing NJUNS process. Increasing cycle time for licensing approximately 60 days.

Information Request DPU-NG-1-6

Request:

Refer to National Grid's Response at 4-5, 9, 20-24.

- a. Please provide a copy of the Company's construction standards and explain with specificity how boxing is contrary to these standards. Include cites to relevant page and section numbers.
- b. Clarify whether OTELCO had access to these construction standards during the pole attachment application process.
- c. Elaborate on National Grid's public safety and reliability concerns in relation to boxing and alternative wire placements. Include in this discussion and provide support for the factors considered by the Company in whether to allow these attachment methods, and address whether considerations also include possible weather or emergency events, population density, pole location (e.g., urban versus rural, proximity to private property, etc.), proximity of buildings and other structures, etc.

Response:

- a. Please refer to Attachment OTELCO-NG-1-6-A for a copy of the Company's construction standards. The Company's policy on boxing was provided as Attachment DTC-NG-1-32, which indicates that boxing is only permissible in very limited circumstances. As the Company does not use boxing as a standard practice, the only reference to it in the construction standards is in section 10.0.40 on p.392.

- 10.0.40 Conductor Location

In general, secondary conductors shall normally be installed on the street or highway side of the pole. On inside angles, it may be necessary or preferable to attach secondary conductors on the field side of the pole. "Boxing" in a pole by installing secondary cable on the opposite side from that of communication conductors should be avoided.

- b. All attachers have access to National Grid's construction standards upon request, during the pole attachment application process and otherwise, at the link below. Attachers should be working with National Grid's Preferred Contractors who are held accountable to adhere to National Grid's construction standards.

<https://nationalgridplc.sharepoint.com/sites/GRP-INT-US-ElectricStandardsSharePoint/ESPublic/SitePages/Electric-Standards-Public-SharePoint-Homepage.aspx?OR=Teams-HL&CT=1658235960723&clickparams=eyJBcHBOYW11IjoiVG9VhbXMtRGVza3RvcCIslkFwcFZlcnNpb24iOiIyNy8yMjA2MDYxNDgwNSIsIkhhc0ZlZGVyYXRlZFVzZXIiOmZhbHNlQ%3D%3D>

- c. Please refer to Information Request DPU-NG-1-2 (b) for elaboration on National Grid's public safety and reliability concerns in relation to boxing and alternative wire placements.

Information Request DPU-NG-1-7

Request:

Refer to Verizon's Response, Wolanin Affidavit, ¶¶ 8, 14; Exhs. A&B. Please confirm whether National Grid has issued similar policies or guidance on boxing and alternative wire placements as Verizon and, if so, provide copies of the relevant materials.

Response:

National Grid has not issued a written policy or guidance on boxing and alternative wire replacements similar to Verizon's, beyond National Grid's boxing policy provided as Attachment DTC-NG-1-32.

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

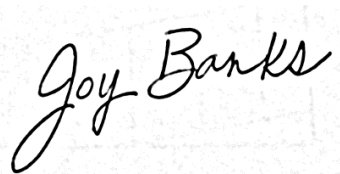
**D.T.C. 22-4**

**Affidavit of Joy A. Banks**

I, Joy A. Banks, do attest and swear to the following:

1. I am Manager, Third-Party Attachments – New England for National Grid USA Service Company, Inc. (“Service Company”). My current duties include management of third-party pole attachment responsibilities for National Grid’s electric distribution activities in New England, including those of Massachusetts Electric Company d/b/a National Grid (“Company”).
2. The responses to information requests which were filed in this docket and bear my name, were prepared by me or under my supervision are true and accurate to the best of my knowledge and belief.

Signed under the pains and penalties of perjury,

A handwritten signature in black ink that reads "Joy Banks". The signature is written in a cursive style and is positioned above a horizontal line.

Joy A. Banks

Date: July 20, 2022

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

**D.T.C. 22-4**

**Affidavit of Frederick Griffin**

I, Frederick Griffin, do attest and swear to the following:

1. I am Senior Engineer, Electric Distribution Design – New England for National Grid USA Service Company, Inc. (“Service Company”). My current duties include review and approval of distribution design make ready changes for National Grid’s electric distribution overhead facilities in New England, including those of Massachusetts Electric Company d/b/a National Grid (“Company”).
2. The responses to information requests which were filed in this docket and bear my name, were prepared by me or under my supervision are true and accurate to the best of my knowledge and belief.

Signed under the pains and penalties of perjury,



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Frederick Griffin

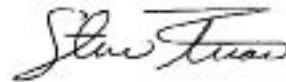
Date: July 20, 2022

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

CRC COMMUNICATIONS LLC, D/B/A	)	
OTELCO	)	
	)	
<i>Complainant,</i>	)	
	)	
v.	)	D.T.C. 22-4
	)	
MASSACHUSETTS ELECTRIC COMPANY	)	
D/B/A NATIONAL GRID AND	)	
VERIZON NEW ENGLAND INC.	)	
	)	
<i>Respondents</i>	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically served the foregoing documents upon the Service List for the above-captioned proceeding, in accordance with the requirements of 207 CMR 1.05.



Steven Frias, Esq.  
Keegan Werlin LLP  
99 High Street, Suite 2900  
Boston, Massachusetts 02110  
(617) 951-1400

Dated: July 20, 2022