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May 15, 2024

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

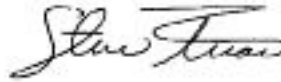
Re: D.T.C. 22-4 – CRC Communications LLC d/b/a OTELCO v. Massachusetts
Electric Company d/b/a National Grid and Verizon New England Inc.

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 Third Set of Information Requests issued by the Department of Telecommunications and Cable (“DTC”). Also, enclosed is the testimony of Joy A. Banks.

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 DTC-NG-3-1

Request:

Do the field surveys that precede make ready work identify:

- A. Whether all facilities on the pole are labeled to identify ownership?
- B. The individual attachers already on the pole?
- C. The owner of each facility that needs to move to allow for the new attachment?
- D. A specific sequence for moving prior attachers to allow for the new attachment?

Response:

The field surveys that precede make ready work:

- A. Are reliant upon appropriate labeling to identify ownership for purposes of required transfers. If a label is missing, additional research must be performed to identify attachers.
- B. Identify the individual attachers already on the pole.
- C. Identify the owner of each facility that needs to move to allow for the new attachment.
- D. Identify a specific sequence for moving prior attachers to allow for the new attachment.

Information Request DTC-NG-3-2

Request:

For any of the poles covered in OTELCO's applications:

- A. Identify whether National Grid has received any additional third-party attachment requests that require a field survey since October 11, 2022.
- B. If National Grid has received any additional applications, describe the status of those applications.
- C. If National Grid has not received any additional applications, confirm whether National Grid has any pending attachment applications besides OTELCO for any of the municipalities included in OTELCO's applications.

Response:

- A. The Company has received applications from other applicants to attach on poles OTELCO has requested to attach to since 10/11/2022.
- B. The Company has received additional applications, the status of those applications shown below.
 - 1,380 poles that overlap with poles that OTELCO has applied for.
 - The total number of applications is 24 of which:
 - i. 5 are licensed.
 - ii. 1 is cancelled.
 - iii. 18 are in survey/design stages. (Please note these are subject to change)
- C. The Company has pending attachment applications besides OTELCO for some of the municipalities included in OTELCO's applications, covering 75 third-party applications for 4,683 poles.

Information Request DTC-NG-3-3

Request:

Of the poles covered by OTELCO's applications that are mentioned in National Grid's Opposition to OTELCO's Motion for Enforcement on page 14-15, confirm:

- A. The number of poles solely owned by National Grid.
- B. The number of poles jointly owned by National Grid and Verizon.
- C. If there are any other ownership arrangements, what they are, and how many poles there are in each category.

Response:

- A. The number of poles solely owned by National Grid currently slated for replacement on the OTELCO applications is 14.
- B. The number of poles jointly owned by National Grid and Verizon currently slated for replacement on the OTELCO applications is 650. Please note that OTELCO is requesting to box 732 poles, which include some poles not designated for replacement.
- C. There are no other ownership arrangements, therefore there are no such poles in this category.

Information Request DTC-NG-3-4

Request:

To date, what amount has OTELCO paid National Grid in field survey fees?

Response:

To date, OTELCO has not paid field survey fees to National Grid. OTELCO paid Osmose Utility Services Inc. directly through the Applicant Directed Design (ADD) Process. National Grid billed OTELCO \$25,572.14 in application processing fees, which had been paid.

Information Request DTC-NG-3-5

Request:

For jointly owned poles, both Verizon and National Grid have referenced a reconciliation process in which the joint owners reach a consensus about what make ready work will be required for each jointly owned pole before a final make ready proposal is sent to an attacher such as OTELECO. *See* National Grid Response to DTC IR 1-3 (July 12, 2022) and Verizon Direct Testimony at 10 (August 1, 2022). For OTELCO's applications:

- A. When reconciliation was needed, who participated in the reconciliation discussions?
- B. Did reconciliation discussions take place in the field while observing the pole or some time afterwards at a different location? If discussions took place at a different location, specify where and when.
- C. For OTELCO's original applications, for what percentage of the poles did the joint owners, or their contractors, recommend the same make ready work, resulting in no reconciliation of the two surveys?
- D. Conversely, for OTELCO's original applications, for what percentage of the poles was reconciliation required because the joint owners, or their contractors, assessed the condition of the poles differently?
- E. How long did the reconciliation process take for the original surveys of OTELCO's poles?

Response:

- A. When reconciliation was needed, Osmose Utility Services Inc. and Pike Engineering LLC participated in the reconciliation discussions.
- B. Reconciliation does not take place in the field while observing the pole. The reconciliation process is conducted virtually.
- C. For OTELCO's original applications, the joint owners, or their contractors, recommend the same make ready work on 91% percentage of the poles. Reconciliation is required on all poles surveyed, regardless of make ready recommendation of either party.

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D. For OTELCO's original applications, reconciliation was required because the joint owners, or their contractors, assessed the make ready requirements differently on 9% of the poles.

E. The reconciliation process for the original surveys of OTELCO's poles took 44 days, on average, per application.

Information Request DTC-NG-3-6

Request:

Refer to National Grid's Opposition to the Motion for Enforcement at page 11 where National Grid argues that it needs to resurvey poles that OTELCO has requested to box. Has National Grid ever requested that an attachment applicant, besides OTELCO, pay for resurveys for an application? If so, what was the reason for that request and did the applicant pay for the resurveys?

Response:

Yes, National Grid has requested that an attachment applicant, besides OTELCO, pay for resurveys for an application. Reasons for this type of request include, but are not limited to, overlapping work in progress requiring consideration, length of time work has been stagnant where conditions have likely changed, applicant requests additional options to lower make ready costs, or applicant changes in project scope. The applicant paid for the resurveys.

Information Request DTC-NG-3-7

Request:

If the Department permits the pole owners to resurvey the poles which OTELCO has requested to box, how could National Grid streamline the resurvey process to conduct a single survey with its joint pole owner to determine the feasibility of boxing, rather than having each pole owner conducting a separate survey?

Response:

When undertaking the resurvey, National Grid would leverage the original survey results, updating field conditions as appropriate, which would streamline the resurvey process.

The pole owners use different contractors, collection methods, and software. The parties do not have access to the others' systems. The process required for post-survey design inputting into the GIS system, to amend with work completed during the hold of the OTELCO work, and align with other work in progress, would likely be the most burdensome and time-consuming aspect.

National Grid will make reasonable efforts to streamline the process for resurvey; however, all recommendations would require coordination with and agreement from Verizon to implement.

National Grid may consider other options, such as:

- (1) coordinating the resurvey field work with Verizon/Pike so that National Grid's and Verizon's contractors are in the field at similar times, reducing the lag between different survey schedules required for the reconciliation; and
- (2) requesting that OTELCO forego the interim process step where right now, after Omore's initial survey, OTELCO reviews the results before Omore sends them to Verizon/Pike for pole owner reconciliation and agreement on make-ready work, which would also save time. OTELCO would receive the results after Omore and Pike completed the reconciliation.

Information Request DTC-NG-3-8

Request:

What information must be included in an O-Calc report developed by Osmose? How does National Grid decide what information Osmose should include in an O-Calc report for a particular application?

Response:

Below is the list of required information that must be included in an O-Calc report.

- Pole ID Number
- Pole type, length, and class (from brand if available) of the pole: If the pole brand is not available, other indicators may be utilized to estimate brand information.
- GPS latitude/longitude
- Pole Condition: A cursory visual inspection of the pole is the only inspection to be performed. The purpose is to identify obvious defects that prevent an additional attachment.
- Span distances and angles of all spans attached to pole (as required)
- Type, size, height, angle, and arrangement of all electrical conductors attached to pole: Osmose to utilize the National Grid Pole Loading Catalog in O-Calc® Pro.
- Type, size, height, angle, and arrangement of all electrical equipment attached to pole, as required.
- Type, size, height, angle, and arrangement of all other cables attached to pole (as required): Cable owner will provide tension information and bundle details.
- Cable ownership, if available.
- Type, size, height, angle, and span length of all electrical and non-electrical service cables attached to pole (as required)
- Type, size, height, lead, and angle of all guys attached to pole. Pole owner to provide guy material properties (as required)
- Other relevant information as to pole condition.
- Load Screening as required by National Grid Standards.
- Additional pole details as required to support a pole loading analysis.
- Digital Image(s).

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National Grid does not decide what information Osmose should include in an O-Calc report. The O-Calc software is owned and developed by OSMOSE Utilities Services. Distribution pole analysis is accomplished by performing a combination of pole load screening and comprehensive pole loading analysis. The results of which will determine the structure's adequacy for supporting additional attachments.

Information Request DTC-NG-3-9

Request:

National Grid indicates that certain O-Calc reports contain information such as the presence of guy wires, side arms or embankments which would preclude certain poles from being boxed. If the Department permits National Grid to conduct resurveys on the poles in OTELCO's applications only for the purpose of determining boxing suitability:

- A. Does National Grid propose streamlining the resurveys to reduce costs for OTELCO, given that the original survey provided much of the information to assess the strength of the pole?
- B. What would be included in a resurvey that was *not* included in the original survey?
- C. What would *not* be included in a resurvey that was included in the original survey?

Response:

A. During the resurvey, National Grid will leverage existing documented information with the intention of streamlining the time and effort of resurveying to reduce costs for OTELCO. The data collected on the original surveys must be validated given that the original survey information to assess the strength of the pole collected could have changed due to length of time, capital work performed, pole replacements or changes resulting from storm restoration efforts, vegetation trimming or growth, among others.

B. Considerations for boxing would be included in a resurvey, which was *not* included in the original survey, specifically hot stick heights for top two bolted attachments to confirm minimum 13 inches of spacing exists surface-to-surface, i.e., 14 inches of spacing through bolt to through bolt, which is the required minimum distance between existing attachers for boxing construction.

Additionally, if boxing is applicable on a particular pole, reconsideration must be made to surrounding poles that may require replacement to accommodate NESC clearance requirements. Backside construction and accessibility would also need to be assessed.

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C. Lengthy desktop documentation of survey components and results would *not* be necessary in a resurvey as OSMOSE would leverage existing documentation and update as needed for changed field conditions.

Information Request DTC-NG-3-10

Request:

Based on the information contained in the O-Calc reports, how many of the poles OTELCO has requested to box can National Grid already determine are unsuitable for boxing without conducting a resurvey?

Response:

National Grid is not able to determine suitability for boxing without conducting a resurvey based on the information contained in the O-Calc reports. The information contained in the O-Calc reports is outdated and does not include clearance details or backside pole analysis. National Grid does not have confidence in the accuracy of the data, as it has had 68 Storm Restoration Events since 10/11/2022 in which conditions have changed.

Information Request DTC-NG-3-11

Request:

If the Department permits the pole owners to only resurvey poles to determine whether boxing is suitable for the poles OTELCO has requested to box:

- A. How many poles does National Grid propose to resurvey, including those requested by OTELCO and any relevant neighboring poles?
- B. How many field hours would such a resurvey take?
- C. How much does National Grid propose to charge OTELCO for such a resurvey?
- D. Once resurveys are completed, how will National Grid decide whether boxing is allowed?
- E. Under what set of circumstances will boxing be allowed?
- F. How long would it take for National Grid to provide new make ready estimates to OTELCO, starting with the date on which National Grid receives payment for the resurveys from OTELCO?

Response:

- A. If the Department limits the pole owners to only resurvey poles to determine whether boxing is suitable for the poles OTELCO has requested to box, National Grid will propose to resurvey 1,992 poles.

Municipality	Total Poles	Pole Replacements	Adjacent Poles
Belchertown	765	255	510
Northampton	654	218	436
Palmer	573	191	382
Totals	1,992	664	1,328

- B. A limited resurvey would take approximately 664 hours, presumably less if the data needs only to be validated and updated with changed field conditions. Clearance measurements will be captured and recorded for boxing consideration.
- C. National Grid would propose OSMOSE Utilities Services to conduct the resurvey if it is agreeable and has the resources for resurveying. OSMOSE Utility Services rates are used in the calculations below, which would be billed to OTELCO for resurvey.

Municipality	Total Poles	OSMOSE Utilities Per Pole Fee	Total Cost
Belchertown	765	\$115.22*	\$88,139.73
Northampton	654	\$115.22*	\$75,350.83
Palmer	573	\$115.22*	\$66,021.06
Totals	1,992		\$229,511.62

* Cable/Strand; Fiber - \$75.37pp (Survey Fee) + \$4.22pp (Design App Review Fee) + \$106.876*1/3 (Hourly Task fee for hot stick height collection at pole) = \$115.22 per pole

- D. Once resurveys are completed, factors to be considered by National Grid in determining if boxing is appropriate for a particular attachment include, but are not limited to, the factors listed in the table below. National Grid will provide specific safety, reliability, or engineering issues regarding a pole if it is denying the request to box that pole.

1. Whether all necessary consents have been obtained to the use of such methods under the terms of any applicable joint use or joint ownership agreement
2. Whether the pole in question is already boxed
3. Whether other poles in that same pole line are already boxed
4. Whether there are other attachment methods or make-ready work that could be performed that obviate the need for use of boxing
5. Whether use of boxing on a particular pole can obviate the need for otherwise unnecessary or overly complicated pole replacement activity, service outages, or significant other make-ready work (e.g., crossbow, hub, riser, junction pole, etc.)
6. Whether the pole in question is able to support attachments using such methods from the perspective of safety, reliability, and sound engineering principles
7. Whether existing attachments on the pole, including third-party equipment such as streetlights, or antennas, are compatible with the proposed use of boxing

- | |
|---|
| 8. Whether use of boxing triggers or avoids application of additional permitting requirements such as might relate to poles on private property or in sensitive areas (e.g., environmental areas or historical districts) |
|---|

National Grid will use the refreshed survey data and additional back side clearance information gathered through the hot stick process, in combination with all current standard practices to determine if boxing is a viable option. All attachments shall conform to all applicable federal, state, county, and municipal codes and regulations, as well as those found in the most current edition of the National Electric Safety Code (NESC), the Telcordia Blue Book – Manual of Construction Procedures (SR-1421, Issue 4, Nov 2007) (available from Telcordia), National Grid Construction Standards, generally accepted engineering practices, and the terms of joint pole ownership agreement with Verizon.

E. Boxing will be evaluated on a pole-by-pole basis and may be permitted if resurvey indicates that boxing is a viable option under previously provided conditions outlined in this question and will not make future work on the structure insurmountable.

F. National Grid's process allows 45 days for survey, 45 days for design, 14 days for internal final design approval of the work, and 7 days for issuance of the Make Ready Determination. Larger projects, such as OTELCO's, are allotted an additional 15 days for each step. National Grid will align to the current process and will issue make ready estimates promptly, within 7 days of final design approval. Adherence to these timelines will depend on all participants, including Osmose, Pike, and Verizon, commitment to progress the work and reconcile in a timely manner, and receipt of DOT permitting payments from the applicant. Please note that DOT permitting can take approximately four months to receive.

Information Request DTC-NG-3-12

Request:

During the typical make ready process, what happens during the make ready work if field conditions have changed since the field survey was conducted? If inaccuracies in field surveys typically result in increased costs or delays, quantify the average costs and delays per pole.

Response:

When operations discovers discrepancies at pole locations where proposed make ready is not required or no longer viable, the application is sent back to design to re-engineer based on the current field conditions observed by operations. The associated application is placed on hold while the re-engineering takes place and may also require a need for re-survey. This impacts project timelines and the re-engineering could affect make ready determination costs required from the applicant. The cost and delay are variable based on circumstance. In circumstances where the job can proceed with minimal impacts to materials and time, operations would proceed with the As-Built process, submitting paperwork after construction to identify the changes in the job scope.

Information Request DTC-NG-3-13

Request:

How frequently does National Grid update the unit costs of equipment and labor to generate make ready work estimates?

Response:

National Grid updates unit costs of equipment on an ongoing basis. Materials are procured through various manufacturers and therefore have varied costs. Available units and cost per unit are loaded into the work management system, STORMS, and are managed frequently. Labor rates were updated in 2023 and are aligned with current union contract rates. The OTELCO work make ready determinations must be recalculated to update currently stocked materials and labor rates.

Information Request DTC-NG-3-14

Request:

Refer to page 18 of National Grid's Response to OTELCO's Motion for Enforcement. National Grid states that the make ready estimates provided in 2022 are "no longer valid and are based upon stale data and expired field surveys." Does National Grid have a written standard for when field surveys in Massachusetts are considered "expired"?

- A. If so, provide the standard and any supporting documentation.
- B. If so, has this standard ever been applied in Massachusetts to an applicant besides OTELCO? Does National Grid inform applicants or provide advanced notice ahead of a field survey expiring?

Response:

A. National Grid does not have a written standard for when field surveys in Massachusetts are considered expired. Make ready determinations are based upon several factors including permitting expiration dates, vegetation growth, other work in progress, and project scope. National Grid reviews the viability of make ready at 180 days after survey is complete if the work has not progressed to scheduling.

Progressing this work to construction without resurvey is not only inefficient, but will likely cause delay that could be avoided by resurvey. National Grid's contractors are reliant on accurate design plans requiring minimal adjustments. Issues encountered in the field that render design plans inaccurate or incomplete would require the contractor to send the work back to engineering for rework. This approach would be counterproductive for OTELCO. National Grid needs to resurvey for the benefit of all parties, to ensure the most efficient use of time and resources, streamlining to gain efficiencies where possible, and progress OTELCO's project to licensing.

B. National Grid applies standards to all similarly situated applicants in a non-discriminatory manner. National Grid has weekly conversations with applicants to discuss project status. National Grid informs applicants of the need to cancel applications based on the amount of time elapsed since survey completion. Conducting resurveys for changing field conditions is standard practice and occurs frequently. When this happens, applicants pay for the resurvey and all associated costs to continue with their scope of work.

Information Request DTC-NG-3-15

Request:

If National Grid does not have a previously established definition of when pole surveys expire, is it National Grid's position that some, or all, of the surveys OTELCO originally paid for have now expired?

A. If so, why does National Grid believe that the original field survey should be deemed expired in OTELCO's case?

B. What information contained in the original field surveys is *not* considered expired by National Grid due to the passage of time?

Response:

National Grid requires make ready estimates to be paid within 45 days to allow 90 days for the work to be incorporated into the work plan, order materials, and prepare for construction. To expedite OTELCO's project, the work was to be assigned to an external contractor, which requires all make ready to be paid prior to scheduling. As of 05/07/2024, OTELCO's survey data was returned from the field anywhere from 800 to 1059 days ago, this includes all but 1 pole in Northampton. The Company uses 180 days as a general threshold for what should be considered expired data. Since that time, there have been 68 weather events and other work that has progressed and/or completed which changes the original landscape, making the original surveys outdated. It is National Grid's position that all of the surveys OTELCO originally paid for have now expired.

A. National Grid believes that the original field surveys should be reconducted because of the length of time they have been stagnant as well as the intervening storms and other work referenced above.

B. The information contained in the original field surveys necessary to determine suitability for attachment and to make ready determination that is not considered obsolete by National Grid due to the passage of time includes Pole ID Number and GPS Lat/Long coordinates.

Information Request DTC-NG-3-16

Request:

If the Department permits the pole owners to resurvey any poles which the pole owners wish to resurvey for the purpose of updating field conditions:

- A. How many poles does National Grid propose to resurvey?
- B. How many field hours would such a resurvey take?
- C. How much does National Grid propose to charge OTELCO for such a resurvey?

Response:

- A. If the Department permits the pole owners to resurvey any poles for the purposes of updating field conditions and determine boxing potential, National Grid will propose to resurvey 6,610 poles. National Grid would propose a phased approach to resurvey OTELCO's applications, recommending prioritization of the work, by town, and assessing the changes in field conditions to determine the variables which have been impacted by the passage of time. If the changes are determined to be insignificant in a particular area, National Grid would adjust its position to lessen the level of resurvey required for those identified applications, adjusting material and labor costs, reissuing make ready determinations for customer payment and moving the work to construction. Forgoing resurvey would be counterproductive and create significant delays in construction. Resurveying the poles will ensure the best possible outcome for OTELCO.

Municipality	Total Poles	2024 Resurvey & Design Costs	Approximate Total Cost for Resurvey and Design
Belchertown	1,658	\$79.59*	\$131,960.22
Northampton	2,945	\$79.59*	\$234,392.55
Palmer	2,007	\$79.59*	\$159,737.13
Totals	6,610		\$526,089.90*

*Plus, hot stick charges as outlined in part C, where applicable for boxing determination.

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- B. Based upon the outcomes of preliminary review of the applications as outlined in A, the number of hours would upwards of 2,000 hours, presumably less if field conditions have not changed significantly.
- C. National Grid would pass through current negotiated costs of OSMOSE Utilities Services of Cable/Strand; Fiber - **\$75.37pp** (Survey Fee) + **\$4.22pp** (Design App Review Fee) + **\$106.876*1/3** (Hourly Task fee for hot stick height collection at pole, only where necessary to determine boxing).

Information Request DTC-NG-3-17

Request:

If the Department permits National Grid to conduct any resurveys, provide a detailed timeline for when National Grid estimates it will be able to give OTELCO detailed cost estimates for the make ready work after the resurveys are completed.

- A. How long will National Grid take to reconcile surveys for any jointly owned poles?
- B. How long will National Grid take to turn all make ready proposals of its contractor into a detailed cost estimate for OTELCO? Describe what elements are considered when estimating the time National Grid calculates it will take to provide these estimates.

Response:

- A. The OTELCO applications will progress through the standard third-party application process as outlined in the response to Information Request DTC-NG-3-11, part F. The reconciliation process is embedded in the timelines set through final design approval, which is targeted at 90 days for each application, although 120 days is typically allowed for larger projects. The joint pole owners will work to maintain pace on the OTELCO applications and seek opportunities to reduce cycle times once field conditions are reassessed. Given the significant workload currently in the engineering queue in Massachusetts, the affected parties including Osmose, PIKE, National Grid, and Verizon will need to discuss and provide feasible timelines for each party to progress the work. Once a discussion has commenced, the Company will be able to provide estimated timelines based on each parties' available resources.
- B. Upon completion of the design approval step for each application, National Grid will provide a detailed cost estimate for each application within 14 days, which will be accepted or rejected by the applicant. The timing of the detailed cost estimate may be impacted by considerations including the need for outages, permitting, vegetation management, weather events, and other circumstances outside of National Grid's control. This timing will need to be discussed with National Grid's contractors to allocate existing resources to OTELCO's project along with hiring additional resources. Given the significant workload currently in the engineering queue in Massachusetts, the affected parties will need to discuss and provide feasible timelines for each party to progress the work and obtain additional resources. Once a discussion has commenced, the Company will be able to

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provide estimated timelines and goals for each part of the electric make ready engineering process which includes survey, design, work management, permitting and engineering approval.

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>)	
)	

TESTIMONY OF

JOY A. BANKS

ON BEHALF OF

MASSACHUSETTS ELECTRIC COMPANY
d/b/a
NATIONAL GRID

May 15, 2024

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1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Joy A. Banks. My business address is 170 Data Drive, Waltham MA 02451.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am Manager, Third-Party Attachments and Outdoor Lighting – New England for National
6 Grid USA Service Company, Inc. My duties include management of third-party pole
7 attachment responsibilities for National Grid’s electric distribution activities in New
8 England, including those of Massachusetts Electric Company d/b/a National Grid
9 (“National Grid” or the “Company”).

10 **Q. Please describe your education and professional background.**

11 A. I am the Manager of Third-Party Attachments and Outdoor Lighting and have been
12 working in this group in various capacities for the last fifteen years. I have twenty-five
13 years of experience in process improvement, including several projects related to National
14 Grid’s electric distribution system. These include large complex meter revenue attainment,
15 end to end third party process enhancements, customer satisfaction and reliability
16 improvements, and implementation of the third party attachment portal to reduce cycle
17 times in the attachment process, enabling customer self-servicing, and enhance visibility
18 of work in progress. I also have fifteen years of experience in storm restoration support
19 and storm cost recovery proceedings. I have also provided rate case support for third party

1 attachment processes. I have a B.S.B.M. from Emmanuel College, located in Boston,
2 Massachusetts.

3 **Q. Have you previously testified in any formal hearings before regulatory bodies?**

4 A. No, I have not.

5 **Q. Have you previously filed affidavits and/or testimony in this proceeding?**

6 A. Yes, I submitted affidavits and sponsored responses to information requests and testimony
7 in this proceeding on behalf of the Company. See Joint Rebuttal Testimony of G. Paul
8 Anundson, Joy A. Banks, and Frederick Griffin, Exh. NG-Rebuttal-1 (August 1, 2022).

9 **Q. What is the purpose of your testimony?**

10 A. My testimony responds to certain claims in the pre-filed testimonies of David Allen and
11 Lawrence M. Slavin on behalf of CRC Communications LLC d/b/a OTELCO
12 (“OTELCO”) dated February 21, 2023 (“Slavin Declaration” and “Allen Declaration”) and
13 OTELCO’s Reply dated April 18, 2023 (“OTELCO Reply”). On April 14, 2022, OTELCO
14 filed a complaint against Verizon New England Inc. (“Verizon”) and the Company on
15 various pole attachment issues. This testimony addresses OTELCO’s claims in relation to
16 National Grid’s need to resurvey the poles which OTELCO requests so National Grid can
17 make a determination whether they may be boxed in accordance with the Department’s
18 Final Order issued on October 11, 2022 (“Final Order”). My testimony is limited to
19 addressing the issue of resurveying poles as instructed by the Department’s Procedural

Schedule dated May 1, 2024.¹

II. RESURVEYING IS REQUIRED

Q. What is the assertion made by OTELCO's witnesses in relation to resurveying the poles that OTELCO requests to be boxed?

A. Mr. Allen contends that it is unreasonable for National Grid to require resurvey of the poles where OTELCO has requested boxing at OTELCO's expense after the Final Order. Allen Declaration at para. 28. Dr. Slavin contends that the information collected in the original surveys and existing records "should be sufficient" to evaluate OTELCO's boxing requests for at least those poles previously identified as requiring replacement. Slavin Declaration at para. 7.

Q. Do you agree with OTELCO's assertions and reasoning?

A. No, I do not. The original surveys conducted in late 2021 and early 2022 are outdated and no longer reflect the state of the Company's current field conditions for all poles in OTELCO's applications. For example, since the original surveys, National Grid has completed numerous capital projects, had 68 storm events, and conducted other third-party attachment work. The Company cannot execute work based on this now outdated

¹ Due to the narrow scope of the supplemental record, the Company is not addressing certain claims made by OTELCO regarding other items, such as cost breakdowns and application processing times. Silence on these topics should not be construed as agreement with OTELCO, but rather abiding by the Department's Procedural Schedule direction on scope, which notes "[t]he Department seeks to supplement the record, and hear from the parties, regarding the resurvey issue. The Department will likely not review evidence on matters outside of the resurvey issue." If the Department later entertains supplemental record information on these items, National Grid will seek to provide such information accordingly.

1 information and needs to resurvey all poles in OTELCO's applications to proceed with the
2 attachment process in an efficient manner which is standard practice.

3 **Q. Please define boxing.**

4 A. Boxing, also referred to as "opposite-side construction," consists of installing
5 communications wires on both the road side and field side of a pole in the communication
6 space of a pole.

7 **Q. Please explain the Department's Final Order in this proceeding on boxing.**

8 A. In the Department's Final Order issued on October 11, 2022, the Department required
9 National Grid and Verizon to evaluate boxing in lieu of pole replacement if requested by
10 OTELCO on a pole-specific basis; if a pole cannot be boxed, the pole owners must give
11 specific reasons they cannot allow boxing on a pole. Final Order at 13, 15-16, 16-17. The
12 Final Order notes that in the event the pole owners permit OTELCO to box poles, they can
13 bill OTELCO for the increased costs that boxing causes. Id. at 18.

14 **Q. How did National Grid seek to implement the Final Order with respect to boxing?**

15 A. After the Final Order was issued, National Grid and OTELCO discussed how to move
16 forward with OTELCO's pending applications in Massachusetts. On October 24, 2022,
17 OTELCO requested that National Grid evaluate for boxing the poles which had been
18 designated for make-ready pole replacement to avoid the expense of replacement, which
19 entailed 650 poles.² On November 15, 2022, National Grid provided specific reasons that

² Please note that OTELCO is requesting to box 732 poles, which includes some poles not designated for replacement.

1 four poles listed in OTELCO's initial complaint could not be boxed and stated that National
2 Grid needed to resurvey the remaining poles to determine the feasibility of boxing, at
3 OTELCO's cost. Over the next three months, OTELCO and National Grid had
4 teleconference meetings to discuss. During the discussions, National Grid stated that it
5 would need to resurvey all poles where OTELCO wanted to box so that the determination
6 could be made, including those designated for replacement, due to the passage of time and
7 the outdated status of the original surveys and make-ready work done in late 2021/early
8 2022. National Grid also indicated that OTELCO would be required to pay for these
9 resurveys. As part of these discussions, on February 15, 2023, I sent an email to Debbie
10 Brill of OTELCO asking for OTELCO's prioritization of work for re-survey and make
11 ready. OTELCO never responded to my email. OTELCO filed its Motion to Enforce the
12 Final Order on February 21, 2023, accompanied by the Slavin and Allen Declarations.

13 **Q. What is National Grid's process to evaluate if a pole can be boxed?**

14 A. In accordance with the Department's Final Order, National Grid will evaluate the poles
15 where OTELCO has requested to box in lieu of pole replacement, and, if that pole cannot
16 be boxed, provide specific reasons why it is not feasible, including those pertaining to
17 safety, reliability, engineering, or operational issues. If a pole can be boxed, National Grid
18 will determine if an associated increase in costs should be billed to OTELCO. To make
19 this determination, National Grid needs to resurvey the poles OTELCO requests to be
20 evaluated. In addition, due to the passage of time, National Grid needs to resurvey all the

1 poles where OTELCO has requested to attach to determine where OTELCO can do so
2 under the current field conditions which is standard practice.

3 The initial surveys were conducted by National Grid's contractor, Osmose, in late 2021 to
4 early 2022. At that time, evaluation for boxing was not part of National Grid's standard
5 third-party attachment process, so the original surveys from 2021/2022 are lacking
6 information National Grid requires to determine if a pole can be boxed. For example,
7 boxing reviews will require hot stick heights for the top two bolted attachments to confirm
8 minimum 13 inches of spacing exists surface-to-surface, i.e., 14 inches of spacing through
9 bolt to through bolt. This is the required minimum distance between existing attachers for
10 boxing construction.

11 **Q. Does the Company have other sources of information beyond the original surveys**
12 **which could provide information on the current state of the field?**

13 A. The Company does not currently have other sources of information that would permit the
14 Company to evaluate whether boxing is appropriate on a specific pole. First, the Company
15 has not traditionally evaluated or inspected poles for boxing. Furthermore, the Company
16 does not have a centralized system that cross-references all work and field touch points,
17 such as capital work, third-party attachments, and storm restoration. For internal capital
18 work, the internal surveys do not evaluate beyond what specific work is required and no
19 post construction photos are taken. Contrary to Dr. Slavin's claims that "presumably" the
20 pole owners have most or all of the relevant details, National Grid does not have other
21 information sources to provide the details necessary to evaluate boxing in lieu of pole

1 replacements based on current field conditions. See Slavin Declaration at para. 17. In fact,
2 Dr. Slavin seems to acknowledge that he does not know the condition of the field and is
3 speculating, stating that “it is conceivable that new surveys may reveal information not
4 already in the possession” of the Company. Id. at para. 18.

5 **Q. Is there any information the Company can use from the O-Calc reports developed by**
6 **the Company’s contractor, Osmose?**

7 A. No, these reports are substantially outdated and suffer the same staleness due to the passage
8 of time. These reports are conducted only on a subset of poles, collected certain additional
9 information, and were done in the late 2021/2022 time period, so they too are now over
10 two years old. These reports also do not capture the bolt hole dimensions which are needed
11 for boxing. They may, however, be used to determine a pole cannot be boxed in some
12 cases due to the presence of another asset, such as a riser, transformer, or crossarm that
13 would interfere with the ability to box.

14 **Q. How outdated are the initial surveys conducted for OTELCO’s applications?**

15 A. The surveys for OTELCO’s applications are approximately two to three years old. The
16 chart below demonstrates how much time has passed since these surveys were conducted.

17

1

Municipality	Original Survey Dates	Age Range
Belchertown	6/12/2021 to 9/4/2021	975 to 1,059 days old
Northampton	8/21/2021 to 1/29/2022	828 to 989 days old
Palmer	12/11/2021 to 2/26/2022	800 to 877 days old

2

3 There was a more recent application which was surveyed on October 9, 2021 in
4 Northampton which is now 947 days old. During design, the application required resurvey
5 due to changing field conditions from the time of the original survey on September 22,
6 2022, which was 348 days from the original survey. OTELCO did not object to resurvey
7 of that pole at the time. It would be impractical and inefficient to schedule work without
8 re-survey based the age of these original surveys due to numerous changes that have
9 occurred since.

10 **Q. What has changed since the original surveys in late 2021/early 2022?**

11 A. There has been substantial change over the last two to three years which impact the
12 information in the original surveys. First, National Grid has completed capital projects in
13 these communities, so that there could be different poles and configurations, including
14 items such as risers, crossarms, transformers, among others, currently in the field compared
15 to years ago. These items would impact whether the Company can allow boxing on a pole
16 which was designated for replacement; or, due to a change, the pole could no longer need
17 replacement because it now is able to accommodate OTELCO's attachment without

1 additional make-ready work. This change in the field conditions could also impact
2 OTELCO's attachments on poles which did not require replacement. The chart below
3 summarizes the work National Grid has completed since October 2022.

Municipality	Capital Projects Since October 2022 (# jobs)	Capital Projects Since October 2022 (hours)
Belchertown	145 jobs	About 5,799 construction hours
Northampton	247 jobs	About 21,260 construction hours
Palmer	91 jobs	About 3,564 construction hours
Total	483 jobs	About 30,620 construction hours

4
5 Second, National Grid has experienced 68 storm events since October 2022. After a storm
6 event occurs, National Grid and its contractors must restore service to those customers
7 interrupted. The damage from these events can include downed wires (both for
8 communications/third-party attachers and electric service), damaged and/or broken poles
9 which need to be replaced (which could be in a different location impacting span lengths,
10 angles, and pole loading), pole-mounted transformers may need to be replaced in the same
11 or different location, and other impacts to distribution infrastructure. These types of
12 changes on a pole's configuration may impact the evaluation on whether that pole can be
13 boxed in lieu of replacement and how OTELCO will be permitted to attach on the
14 remaining poles.

1 Third, other third-party attachers have applied to attach to poles, completed surveys, paid
2 for make-ready construction, and completed construction during these years. Thus, there
3 are new attachers now on the poles which need to be incorporated into the now-stale
4 designs for OTELCO.

5 Fourth, the permitting for OTELCO's work is now outdated. Department of Transportation
6 ("DOT") permits, which are required for work on DOT roads, expire one year after
7 issuance. OTELCO's applications were pulled after the 2021/2022 original surveys.
8 Therefore, the permits associated with OTELCO's applications have expired. If National
9 Grid were to apply for new DOT permits based on the original surveys from 2021/2022, if
10 the field conditions are different than the scope applied for, the Company would have to
11 re-start the permit process, causing delays in construction. Currently, on average, DOT
12 permits take about a four-month processing time. Any missing information found during
13 construction from permits applied for without resurvey will cause about an additional 4-
14 month delay once construction is underway and changes are needed.

15 Fifth, the original estimates of the make-ready work are no longer valid. In the last few
16 years, the costs of materials and labor have increased. These costs must be updated to
17 reflect the current cost of the work. Failing to do so will result in an unfair advantage and
18 discount provided to OTELCO, subsidized by all other customers, which is inappropriate
19 considering the cost-causations principle that the customer who causes the work should
20 pay for it to be completed.

1 Between the 483 capital projects, 68 storm events, other third-party work, and outdated
2 permitting and costs estimates, the pole configurations and attachment placement included
3 in OTELCO's original surveys and make-ready designs are no longer valid, which is why
4 National Grid needs to resurvey the entirety of poles in scope for attachment before it can
5 commence OTELCO's work.

6 **III. RESURVEY IS STANDARD PRACTICE**

7 **Q. Has the Company experienced needing to resurvey before and if so how did the**
8 **Company handle it?**

9 A. Yes, National Grid has required resurvey for out-of-date applications and surveys for other
10 applicants. Those applicants paid for the resurvey and completed their applications
11 accordingly. The same process applies to OTELCO here. As noted above, National Grid
12 resurveyed an application for OTELCO which was about one-year old at the time, and
13 OTELCO did not object to the practice then. This is standard procedure for all third party
14 attachers.

15 **Q. How would National Grid treat a customer who wants to pursue applications that had**
16 **been sitting for approximately two years?**

17 A. National Grid would require another customer with two-year-old applications to conduct a
18 resurvey of the work, same as is being required of OTELCO here.

19 **Q. What would happen if National Grid used the information from late 2021/early 2022**
20 **to evaluate boxing and dispatch crews to do the make-ready work?**

21 A. Before National Grid can commence any work for OTELCO's project, OTELCO would
22 need to pay for the make-ready costs (with the caveats that such estimates are now

1 substantially out of date). Assuming OTELCO did that, the 2021/2022 make-ready designs
2 would be sent to construction, and the crew would do a pre-construction check of the work
3 area. If the field conditions vary from the design, the crew will send the work back to the
4 Company's design department until it can be re-engineered based on current field state.
5 The re-engineering would require a resurvey and redesign, at OTELCO's expense. Thus,
6 the end result is the same – resurvey will be required and OTELCO will have to pay for
7 resurvey. The difference is the wasted time and crew resources in the interim which would
8 be required. This is an inefficient way to conduct field work and the result would be
9 inefficient delays, wasted time and resources, and redesigns.

10 **IV. RESURVEY TIMING AND COST**

11 **Q. How much is the cost of resurveying all OTELCO's poles and how long will it take?**

12 A. To restart OTELCO's applications, National Grid will need to resurvey the 6,610 poles to
13 which OTELCO wants to attach. Currently, National Grid estimates this resurvey will cost
14 approximately \$526,090 and take around 2,000 hours.³

15 **Q. How much is the cost of resurveying only the poles designated for replacement and**
16 **the two adjacent poles and how long will it take?**

17 A. If National Grid were only to evaluate the OTELCO's request to box poles based on the
18 original surveys, National Grid will need to resurvey the pole designated for replacement

³ Please see Exh. DTC-NG-3-16 for details and note that this cost does not include the additional cost for hot stick measurements which would be required for poles where a boxing evaluation is needed.

1 and at least the two poles to each side, for a total of 1,992 poles. Currently, National Grid
2 estimates this resurvey will cost \$229,512 and take 664 hours.⁴

3 **Q. If the Company only resurveys the poles requested for boxing and the two adjacent**
4 **poles, how would that impact the construction timeline and process?**

5 A. Only resurveying the poles designated for replacement and the two adjacent poles will not
6 save OTELCO time to complete attachment process, but would rather increase the time
7 needed to complete the scope of work. As explained above, if National Grid were to send
8 out the attachment work for those poles not originally designated for replacement based on
9 late 2021/early 2022 surveys, it is likely that a substantial amount of the work will be sent
10 back during the pre-construction review as not matching the current field conditions. This
11 will result in a minimum of an about 180 day delay per pole that is in any way changed
12 versus what was indicated in the survey from prior years due to re-designing and re-
13 engineering processes.

14 **Q. Does National Grid have suggestions how to make the resurvey process more**
15 **efficient?**

16 A. During the resurvey process, National Grid will leverage existing documentation by
17 seeking to validate the existing original survey information, and supplementing with
18 additional required information, such as the hot stick heights for the bolted attachments,
19 and information for the neighboring poles as needed. National Grid will also consider other
20 options to streamline and save time, subject to agreement with Verizon, such as (a)
21 coordinating the resurvey field work with Verizon so that National Grid's and Verizon's

⁴ Please see Exh. DTC-NG-3-11 for details.

1 contractors are in the field at similar times; and (b) requesting that OTELCO forego the
2 interim reconciliation survey process step, where now Osmose sends OTELCO the survey
3 results before sending to Verizon/Pike for reconciliation.

4 **Q. What is National Grid's perspective on using allowing OTELCO to use the one-touch**
5 **make ready process as suggested by Mr. Allen?**

6 A. Mr. Allen states that if the pole owners cannot or will not promptly evaluate OTELCO's
7 boxing requests, a reasonable process moving forward is to allow one-touch make ready
8 and self-help with a qualified contractor. Allen Declaration at para. 41. National Grid has
9 safety and reliability concerns with one-touch make ready in both the power space and the
10 communications space and does not consider that a viable solution. One-touch make ready
11 is not an option as all parties on the poles must approve of OTELCO moving and touching
12 their wirelines. As National Grid operations is union based, the Company must process all
13 work through the standard channels where union employees are provided the opportunity
14 to review and assign work to National Grid union crews. If OTELCO wants to pursue
15 agreements with other third-party attachers to move and transfer their attachments,
16 OTELCO can do so. National Grid would not participate or be party to these types of
17 agreements.

18 **Q. What is your perspective on the cause of the time that has passed since OTELCO's**
19 **initial applications in 2021?**

20 A. OTELCO claims it wants to bring a competitive product to the regional marketplace and
21 yet continues to contest every step of the pole attachment process, resulting in lengthy
22 filings, adjudicatory process, and more time delays; OTELCO even laments that other

1 projects have occurred in the time since this process started. See Allen Declaration at para.
2 42. National Grid needs to resurvey for the benefit of all parties, to ensure the most
3 efficient use of time and resources, streamlining to gain efficiencies where possible and
4 progress OTELCO's project to licensing.

5 **V. CONCLUSION**

6 **Q. Does this conclude your testimony?**

7 **A.** Yes, it does.

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

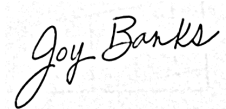
D.T.C. 22-4

Affidavit of Joy A. Banks

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

1. I am Manager, Outdoor Lighting and Third-Party Attachments – New England for National Grid USA Service Company, Inc. 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 testimony and responses to information requests dated May 15, 2024, which was filed in this docket and bear my name, was 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 cursive script that reads "Joy Banks". The signature is written in black ink on a light-colored, slightly textured background.

Joy A. Banks

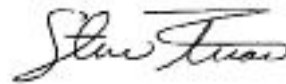
Date: May 15, 2024

COMMONWEALTH OF MASSACHUSETTS
Before the
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

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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>)	
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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
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Dated: May 15, 2024