



May 5, 2026

Karen Charles, Chair
Department of Telecommunications and Cable

Jeremy C. McDiarmid, Chair
Department of Public Utilities

Re: D.P.U. 26-10/D.T.C. 26-1

Dear Chairs Charels and McDiarmid,

I am writing on behalf of the Cape Cod Technology Council, Inc. ("CCTC") to offer comments on the proposed revisions to 220 CMR 45:00 *et seq*: Pole Attachment, Duct, Conduit and Right-of-Way Complaint and Enforcement Procedures docketed as D.P.U. 26-10/D.T.C 26-1.

Founded in 1996, CCTC is a membership based non-profit organization whose mission is to promote technology, education, and economic development on Cape Cod, the Islands, and Southeastern Massachusetts. Our membership includes local Cape, Islands, and Southeastern Massachusetts businesses, technology innovators, educational organizations, government entities, working professionals, and community leaders.

CCTC recognizes the essential nature of robust, affordable, reliable high speed broadband access for Massachusetts businesses and families and has a long history of advocacy for access to broadband. Members of CCTC and stakeholders have identified difficulties in obtaining access to utilities poles and conduit on public rights-of-way as a significant impediment to broadband deployment for years. As a result, CCTC welcomes the efforts of the Department of Public Utilities ("DPU") and the Department of Telecommunications and Cable ("DTC") (collectively "the Departments") to consider the most substantive revisions to 220 CMR 45.00 *et seq*. in more than forty years.

As the Departments have recognized, “utility and electric distribution lines are a core and integral part of not only an electric company’s distribution system and the provisioning of electric service to customers, *but also the provisioning of telecommunications, broadband, and CATV providers*”.¹ Further the Departments “recognize the unique economic characteristics that shape the relationships between pole owners and attachers, and there is no practical alternative for network deployments by competitive telecommunications, broadband, and CATV providers, except to utilize available space on existing poles, the ownership and control of which are largely governed by monopoly utilities”.²

CCTC supports the intention of the Departments “to provide greater certainty and guidance on just and reasonable terms and conditions of access to utility poles throughout the Commonwealth for both utility pole providers and by competitive telecommunications, CATV, and broadband providers”.³ Further, CCTC supports the intention of the Departments to “facilitate the use of OTMR [One Touch Make Ready] in Massachusetts”.⁴

CCTC notes that several of its members, including the Cape Cod Light Compact and NSTAR Electric (“Eversource”) have participated in the process of developing the proposed revisions.

We appreciate your consideration of these matters and look forward to your response.

Respectfully,



Eugene R. Curry

President

Via E-Mail: dpu.efiling@mass.gov; dte.efiling@mass.gov; kerri.phillips@mass.gov; scott.seigal@mass.gov; william.bendetson@mass.gov; kevin.roberts@mass.gov.

¹ The Departments, *Order Instituting Joint Rulemaking and Further Inquiry on Memorandum of Agreement* at 8 (emphasis supplied).

² *Id.*

³ *Id.* at 10.

⁴ *Id.* at 49.