April 15, 2026

Massachusetts Department of Public Utilities
1 South Station, 3rd floor
Boston, MA 02110

Massachusetts Department of Telecommunications and Cable
1 Federal Street, Suite 740
Boston, MA 02110

Re: It's Electric Comments on MassDPU 220 CMR 45.00: Pole Attachment, Duct, Conduit and Right-of-Way Complaint and Enforcement Procedures (D.P.U. 26-10/D.T.C. 26-1)

Dear Massachusetts Department of Public Utilities and Department of Telecommunications and Cable,

Thank you to the Massachusetts Department of Public Utilities and the Massachusetts Department of Telecommunications and Cable for this opportunity to provide stakeholder feedback on the the proposed revisions to regulation 220 CMR 45.00 Pole Attachment, Duct, Conduit and Right-of-Way Complaint and Enforcement Procedures (D.P.U. 26-10/D.T.C. 26-1). I am submitting this written comment on behalf of It's Electric, Inc., a Brooklyn-based owner-operator of curbside electric vehicle (EV) charging infrastructure solutions. We won a competitive bid with the City of Boston, securing a five-year contract to deploy 225+ curbside chargers in the City. We are one of only two companies authorized to deploy, own, and operate in the right-of-way throughout the City of Boston. We commend the Department for its leadership and continued efforts to enable and scale EV charging infrastructure in the public right-of-way.

The Departments should clarify that EVSE, associated conduit, and related make-ready equipment are permissible categories of pole attachments wherever physical, engineering, and safety considerations allow. In footnote 23, the draft record currently describes EVSE as existing on poles only "in very limited circumstances," which risks being interpreted by utilities and local authorities as a presumption against pole-mounted charging infrastructure. Instead, the final rules should clarify that EVSE is an allowed attachment category and cannot be categorically excluded solely because it is EVSE.

Massachusetts utility poles already host a wide range of attachments beyond traditional electric and communications infrastructure, including wireless antennas, municipal fiber, streetlights, cameras, smart city devices, conduit risers, power supply boxes, and other equipment. If utilities can safely accommodate those attachments, there is no policy basis to treat EVSE differently. The Commonwealth should expressly recognize that EVSE equipment, conduit, meters, service drops, communications equipment, and related hardware may be attached to poles where physically feasible and consistent with safety and reliability standards.

The Departments opened this proceeding in part because the Commonwealth anticipates substantial investment in pole-mounted and right-of-way EVSE as part of the clean energy transition. The regulations should therefore support, rather than constrain, the use of existing pole infrastructure for EV charging deployment. Pole-mounted EVSE can reduce installation costs, minimize trenching and sidewalk disruption, accelerate project timelines, and make curbside charging more feasible in dense urban areas where off-street parking is limited.

Accordingly, the final regulations should include language providing that:

"Electric vehicle supply equipment, conduit, meters, communications equipment, and related charging infrastructure shall be considered permissible categories of pole attachments. A utility pole owner may evaluate a proposed EVSE attachment for safety, reliability, structural capacity, code compliance, and engineering feasibility, but shall not categorically prohibit EVSE or associated conduit attachments solely because the equipment is intended to support electric vehicle charging."

The Departments should also clarify that conduit attached to utility poles for the purpose of connecting EVSE should be treated similarly to existing conduit risers and other attached infrastructure already commonly present on poles. This clarification is particularly important because many curbside charging projects will require conduit running vertically along the pole before transitioning underground to the charger location. The existing prevalence of conduit risers on Massachusetts poles demonstrates that this type of installation is already familiar, manageable, and compatible with existing pole attachment practices.

Thank you for your leadership and dedication to promoting sustainable transportation solutions. We look forward to working together to build a cleaner, greener future for all.

Sincerely,

Nathan King, AIA
Co-Founder & CEO, It's Electric, Inc.
nathan@itselectric.us | 646-203-6604