

June 11, 2026

Ursula Estremera, Secretary
Department of Telecommunications and Cable
One Federal Street
Suite 0740

Peter A. Ray, Secretary
Department of Public Utilities
One South Station
3rd Floor Boston, MA 02110

Re: Zayo Reply Comments — Proposed Rulemaking in Docket D.P.U. 26-10 / D.T.C. 26-1

Dear Secretary Estremera and Secretary Ray:

Zayo Group, LLC submits these reply comments on the proposed amendments to 220 CMR 45.00. We commend the Departments for undertaking the most significant update to Massachusetts' pole attachment rules in more than forty years, and we support the goal of replacing a patchwork of utility-specific processes with a clear, predictable statewide framework.

Our perspective is operational. Zayo builds and maintains roughly 4,000 fiber route miles in Massachusetts, including about 1,900 aerial miles attached to utility poles. We serve enterprise customers, hospitals, schools, public safety agencies, municipalities, utilities, wireless carriers, cloud providers, and data centers. For these customers, a pole attachment is not a regulatory abstraction. It is the difference between getting critical service on time and not getting it at all — and too often, the make-ready process today is so slow or uncertain that we cannot deliver service when customers need it.

Two realities should shape the final rules.

First, not all broadband is residential. Much of the public debate treats pole access as a question of home internet. But the networks Zayo builds carry the data behind hospitals, emergency services, schools, manufacturers, utilities, and the cloud and AI workloads that increasingly run the economy. These are not customers who can wait a year for a single attachment to be approved and built.

Second, Massachusetts' energy challenges make fiber more urgent, not less. Grid modernization, clean energy integration, and rising electricity demand all depend on communications infrastructure. As data use climbs and power-intensive computing expands, fiber is the connective tissue that makes a resilient grid and a competitive

economy possible. Rules that slow fiber deployment work against the Commonwealth's own energy and economic goals.

With that in mind, Zayo urges the Departments to adopt four changes.

1. **Align timelines with FCC and regional frameworks.** Data does not stop at the state line. The record indicates the proposed framework could stretch mid-sized projects to roughly 245 to 305 days, and large projects past 400, far longer than FCC and neighboring-state timelines. Massachusetts should not become a procedural outlier where it is materially harder to build than in Connecticut, Maine, or New York. Keep the focus on clear applications, timely review, timely make-ready, and fast dispute resolution, and remove steps, like a second stage meet-and-confer, that add delay without a corresponding benefit.
2. **Do not aggregate unrelated projects.** The proposed 60-day rule would let a utility bundle any applications filed in the same window into one request and restart the clock. But a hospital network, a wireless backhaul build, and a data center interconnection have nothing in common except timing. Aggregation should apply only when projects are genuinely part of the same deployment — same route, customer build, or coordinated construction plan — and unrelated applications should never restart otherwise-applicable timelines.
3. **Distinguish large grant programs from routine public sector work.** Enhanced advance coordination makes sense for large, deadline-driven, government-funded builds like BEAD and Gap Networks. It does not make sense for an individual municipal facility, a public safety link, or a school connection that a public customer needs immediately. Any heightened notice requirement should apply only to the large programs it was designed for, not to every project that happens to involve a public entity or public funding.
4. **Establish a Pole Policy Working Group before adopting comprehensive final rules.** Because these proposed amendments would represent the most significant revision to Massachusetts' pole attachment regulations in decades, the Departments should convene a stakeholders working group **before** the final rules are adopted. A working group comprised of utilities, communications providers, municipalities, contractors, state agencies, and other stakeholders would provide a practical forum to identify operational issues, test assumptions, evaluate potential unintended consequences, and build consensus around workable solutions.

Given the scope and complexity of these proceedings, a collaborative working-group process would surely strengthen the final rules and increase the likelihood of successful implementation. This model has been used in Connecticut and New York. As such, Zayo respectfully recommends that the Departments establish a

Pole Policy Working Group **before** adopting comprehensive final rules, direct that group to evaluate the distinct operational issues raised in this proceeding, and then use the working group's recommendations to inform targeted rulemaking or follow-on proceedings.

Ultimately, the measure of success is not the process itself. It is whether Massachusetts' businesses, hospitals, schools, public agencies, and utilities can timely access the critical communications infrastructure and connectivity they need to serve their communities, support their operations, and grow the Commonwealth's economy.

Massachusetts has long been a leader in innovation. But the Commonwealth's continued and future competitiveness will depend on whether the infrastructure that powers the modern economy can be deployed when and where it is needed.

We urge the Departments to adopt final rules that are clear, enforceable, and workable in the field — rules that protect safety and reliability, while keeping Massachusetts a place where critical infrastructure can be built rapidly, predictably, and efficiently.

Respectfully submitted,



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