



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

MEMORANDUM

BY E-MAIL ONLY

TO: Electronic Distribution List for Inquiry on Pole Attachments and Conduit Access on Public Rights of Way, D.P.U. 25-10/D.T.C. 25-1

FROM: Kerri DeYoung Phillips and Scott Seigal, Hearing Officers, DPU
William Bendetson and Kevin Roberts, Hearing Officers, DTC

RE: Final Technical Session Agenda and Participation Details; and
Items for Reply Comments

ATT.: DTC Redlines to 220 CMR 45.00

DATE: June 18, 2025

CC: Mark Marini, Secretary, DPU
Shonda Green, Director of Administration, DTC
Other Interested Stakeholders

I. INTRODUCTION

On April 10, 2025, the Department of Public Utilities (“DPU”) and the Department of Telecommunications and Cable (“DTC”) (together, “Departments” or “agencies”) [reserved](#) June 23 through June 27, 2025, to conduct virtual technical sessions on topics relating to the above-referenced proceeding. In this memorandum, the Departments provide: (1) a final technical session agenda and participation details; and (2) draft redlines to the agencies’ shared regulations, 220 CMR 45.00, prepared by the DTC to foster additional discussion at the technical sessions and for input through reply comments due on Wednesday, July 23, 2025. The Departments request comments regarding adoption of these regulatory amendments.

II. BACKGROUND

On January 17, 2025, the Departments jointly issued an [Order Opening Inquiry](#) to explore utility pole attachment, conduit access, double pole, and related considerations applicable to utility work conducted on public rights-of-way (“ROWs”) in the Commonwealth. The Departments’ inquiry is specific to our shared authority under M.G.L. c. 164, § 34B (double poles) and M.G.L. c. 166, § 25A (pole attachments and conduit access), as well as the legislative

directive to the Department of Public Utilities to open a proceeding to facilitate ROW or pole-mounted electric vehicle supply equipment (“EVSE”). See An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers, St. 2024, c. 239, § 134. The Departments docketed this inquiry as D.P.U. 25-10/D.T.C. 25-1.¹ The Departments requested comments from a broad range of stakeholders and encouraged stakeholders to submit proposed revisions to our shared regulations.²

The Departments originally established a March 18, 2025 initial comment deadline that was subsequently extended to May 8, 2025. The Departments also established a July 23, 2025 reply comment deadline.

To date, the Departments received comments from more than 40 interested stakeholders, including: (1) separate comments from the primary utility pole owners in the Commonwealth, Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon”), multiple municipal lighting plants (“MLPs”), and the three investor-owned electric distribution companies (“EDCs”), NSTAR Electric Company, d/b/a Eversource Energy (“NSTAR Electric”), Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid (“National Grid”), Fitchburg Gas and Electric Light Company d/b/a Unitil (“Unitil”); (2) other municipal entities and officials (e.g., local departments of public works), many of whom are involved in coordinating work on public ROWs; (3) state officials, including the Massachusetts Bay Transportation Authority and comments jointly submitted by the agencies’ executive secretariats, the Executive Office of Environmental Affairs (DPU) and the Executive Office of Economic Development (DTC); (4) attachers to utility poles; and (6) other interested stakeholders. One entity, CRC Communications, LLC d/b/a GoNetSpeed (“GoNetSpeed”) submitted proposed revised draft regulations for the agencies’ consideration.

On May 8, 2025, the Departments issued a [memorandum](#) providing a preliminary, topic-specific agenda and procedural guidelines for participation at the technical sessions. In that memorandum, the Departments identified multiple questions for each agenda topic directed to Verizon, the EDCs, and other interested stakeholders, and requested presentations from utility pole owners and other interested stakeholders on those topics and questions. Further, in the May 8, 2025 memorandum, the Departments provided instructions for participation at the technical sessions.

On June 9, 2025, the following entities each submitted a presentation addressing specific topics at the sessions: (1) the New England Connectivity and Telecommunications, Inc.

¹ All documents issued by the Departments and submitted by interested stakeholders in this proceeding are available through the Department of Public Utilities’ website through the following link: <https://eeaonline.eea.state.ma.us/dpu/fileroom/#/dockets/docket/11442>.

² The Departments’ distribution list included utility pole owners and attachers, overhead line worker and communications worker union representatives, other state agencies, legislative contacts, each of the 351 municipalities in the Commonwealth, each of the municipal lighting plants, EVSE providers, and others. See, e.g., D.P.U. 25-10, [Memorandum Requesting Comments and Data](#) (January 17, 2025).

(“NECTA”), on behalf of its members, Breezeline, Charter Communications, Comcast, and Cox Communications; (2) CTIA – The Wireless Association (“CTIA”); (3) GoNetSpeed; and (4) Cape Light Compact JPE (“Cape Light Compact”). On June 16, 2025, the EDCs and Verizon submitted their presentations. A representative from the Massachusetts Municipal Association also requested the opportunity to participate at the technical sessions. No other officials or entities requested the opportunity to participate at the sessions or to receive dedicated links.

III. FINAL AGENDA

The Departments provide the final technical session agenda below, based on the preliminary agenda items identified in our May 8, 2025 memorandum and the presentations received from the utility pole owners, as well as NECTA, CTIA, GoNetSpeed, and Cape Light Compact. Initial questions from the agencies informing these presentations are available through our May 8, 2025 memorandum, linked above. The order of presentations under each topic may be revised or adjusted at the discretion of the Hearing Officers. Also included are potential amendments, in redline format, to the agencies’ shared regulations, 220 CMR 45.00, prepared by the DTC to foster additional discussion at the sessions. The Departments look forward to stakeholder feedback on these potential amendments during the technical sessions and reply comment period. The Departments continue to anticipate opening a joint rulemaking proceeding, which will include additional notice and comment periods, in the near term.

The sessions will commence at 10:00 a.m. each day, although participants receiving dedicated links shall log in by 9:45 a.m. to resolve any potential technical issues and procedural questions before the session begins. **Procedural questions may include reorganizing the order of the presentations scheduled for the day.** Unless a session concludes early on a particular day, two 15-minute breaks will be provided at approximately 11:30 a.m. and 3:30 p.m., and a one-hour lunch break will commence at approximately 1:00 p.m. Additionally, the sessions will not be recorded by the Departments or transcribed by a court reporter.

Consistent with our prior instructions, the Departments will first permit staff from the Departments and participants with dedicated links to ask questions related to any presentations provided or on the topics being discussed. If time permits, we will provide other interested stakeholders viewing through the [public link](#) the opportunity to also ask questions related to any presentations and associated topics, with priority given to state and local officials.

Monday, June 23, 2025:

- *Opening remarks and introductions*
- **Topic 1: Technical, Safety, and Engineering Considerations for Pole Attachments**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - Presentations from other interested stakeholders, each followed by an opportunity for questions and discussion:
 - NECTA, slides 1-9 (Title through Conclusion of Topic 1)
 - CTIA, slides 1-4 (Title/Background) and 7 (pole-top access issues)
 - GoNetSpeed, slides 1-3 (Title through Benefits), 7 (relevant other state comparisons – i.e., boxing, temporary attachments), 8 (relevant proposed rules – i.e., safety, self-help, contractors, alternative attachments), 9 and 10 (Safety), 17 (Boxing), 18 (Temporary Attachments), and 19 (Contractors)
 - Opportunity for additional related questions and discussion
- **Topic 2: ROW Planning and Coordination with Municipalities, MassDOT, and Public Safety**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - Presentations from other interested stakeholders, each followed by opportunity for questions and discussion:
 - NECTA, slides 11-13 (Timelines and Self-Help)
 - CTIA, slides 5-6 (Siting) and 7 (“shot clock” timelines, one-touch make-ready (“OTMR”)/self-help, and accelerated dispute resolution issues)³
 - GoNetSpeed, slides 4-5 (Incentives/Experience and “Massachusetts Means Business”), 7 (relevant other state comparisons – i.e., self-help,

³ To accommodate the participant’s availability and due to the limited size and scope of the presentation, CTIA is permitted to present the remainder of issues identified in its presentation that involve subsequent topics to be addressed by the remaining participants.

enforceable timelines), 8 (relevant proposed rules – i.e., self-help, enforceable timelines)

- Opportunity for additional related questions and discussion
- **Topic 3: Attachment Applications, Survey, and Make-Ready Work and Associated Costs**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - Presentations from other interested stakeholders, each followed by opportunity for questions and discussion:
 - NECTA, slides 14-16 (Pole Owner Compensation through Conclusion of Topic 3)
 - GoNetSpeed, slides 6 (OTMR Step 1), 7 (relevant other state comparisons – i.e., OTMR), 8 (relevant proposed rules – i.e., OTMR), 11-16 (OTMR), and 20 (Cost Allocation/Control)
 - Opportunity for additional related questions and discussion
- *Concluding remarks*

Tuesday, June 24, 2025:

- *Opening remarks and introductions*
- **Continuation of Topic 3, if needed**
- **Topic 4: National Joint Utilities Notification System (“NJUNS”)**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations and additional related questions and discussion

- **Topic 5: Double Poles**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - Cape Light Compact presentation, followed by opportunity for questions and discussion
 - Opportunity for additional related questions and discussion
- *Concluding remarks*

Wednesday, June 25, 2025:

- *Opening remarks and introductions*
- **Topic 6: Massachusetts Formula and Inputs**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - NECTA presentation, slides 17-21 (Topic 6 issues), followed by opportunity for questions and discussion
 - Opportunity for additional related questions and discussion
- **Topic 7: Memorandum of Agreement and Dispute Resolution**
 - EDC and Verizon presentations
 - Opportunity for questions and discussion on EDC and Verizon presentations
 - NECTA presentation, slides 22-24 (Topic 7 issues), followed by opportunity for questions and discussion
 - Opportunity for additional related questions and discussion
- *Concluding remarks*

Thursday, June 26, 2025:

- *Opening remarks and introductions*
- **Topic 8: EVSE (estimating half day)**
 - EDCs and Verizon presentations, with opportunity for participant questions and discussion
 - Opportunity for additional related questions and discussion
- **SECOND PORTION RESERVED**
- *Concluding remarks*

Friday, June 27, 2025:⁴

- **RESERVED FOR FOLLOW-UP, AS NEEDED**

IV. REPLY COMMENTS

As noted above in Section II, the Departments previously established a reply comment deadline of Wednesday, July 23, 2025. The Departments encourage reply comments to respond to: (1) all comments and presentations filed to date; (2) discussions and questions raised at the technical sessions; and (3) the regulatory amendments prepared by the DTC, including the feasibility of and complications relating to implementing such changes in the Commonwealth, the potential benefits of such changes, and any conflicts with existing municipal ordinances or state laws.

V. PUBLIC AND DEDICATED LINKS

As instructed by the agencies in our May 8, 2025 memorandum, the DPU will facilitate the technical sessions via the Zoom videoconferencing platform. Any person may view the livestream of the session at <https://us06web.zoom.us/j/81477790599> through a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the technical conference, dial **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 814 7779 0599**.⁵

The DPU e-mailed dedicated links during the week of June 9, 2025, to each individual or “Panelist” identified by entities that requested to participate at the upcoming sessions. The

⁴ The Hearing Officers anticipate that the Friday session will likely be canceled.

⁵ These details are also available on the “Upcoming Events” portion of each agency’s homepage at <https://www.mass.gov/dpu> and <https://www.mass.gov/dtc>.

e-mails were issued by Shirley Barosy, DPU's Manager of Legal Administration. The Departments instructed that counsel and/or a single individual from each participating entity must confirm via e-mail to the Hearing Officers that each designated Panelist for the participant list has received an e-mail with a dedicated link.

The Departments observe that, for each Panelist receiving a dedicated link, the link will apply for each day of technical sessions. To the extent that a Panelist would like to view the sessions for days on which they will not be participating, then they should use the above public link, which will require an e-mail address that differs from the e-mail address used for the dedicated link.

VI. CONCLUSION

For questions regarding this memorandum, please contact the Hearing Officers at kerri.phillips@mass.gov, scott.seigal@mass.gov, william.bendetson@mass.gov, and kevin.roberts@mass.gov.