



# COMMONWEALTH OF MASSACHUSETTS

## Department of Telecommunications and Cable

1000 Washington Street, Suite 820, Boston, MA 02118

(617) 305-3580

[www.mass.gov/dtc](http://www.mass.gov/dtc)

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**JAY ASH**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**JOHN C. CHAPMAN**  
UNDERSECRETARY

**KAREN CHARLES PETERSON**  
COMMISSIONER

Jan. 30, 2017

Kevin Penders  
General Counsel  
Department of Public Utilities  
One South Station, 5<sup>th</sup> Floor  
Boston, MA 02110

Re: MOA with Department of Telecommunications and Cable

Dear Kevin,

Attached please find our signed copy of the Seventh Extension of Memorandum of Agreement Between the Massachusetts Department of Public Utilities and the Massachusetts Department of Telecommunications and Cable for your review.

Please send me a copy of the final agreement signed by Chair O'Connor and Commissioner Charles Peterson. I am including a self-addressed envelope for your use.

Please let me know if you have any questions or concerns. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Merrick".

Sandra E. Merrick  
General Counsel  
Department of Telecommunications and Cable

**Seventh Extension of Memorandum of Agreement Between the Massachusetts  
Department of Public Utilities and the Massachusetts Department of  
Telecommunications and Cable**

WHEREAS, on October 14, 2008, the Massachusetts Department of Public Utilities (“DPU”) and the Massachusetts Department of Telecommunications and Cable (“DTC”) executed a Memorandum of Agreement (“MOA”) regarding the regulation of attachments to utility poles, ducts, and conduits pursuant to G.L. c. 166, § 25A and double poles pursuant to G.L. c. 164, § 34B; and

WHEREAS, pursuant to Paragraph 12 of the MOA, “[a]bsent any intervening and pertinent statutory amendments to G.L. c. 166, § 25A or G.L. c. 164, § 34B, this MOA shall expire two (2) years from the date of execution[;]” and

WHEREAS, the DPU and DTC executed a Temporary Renewal of Memorandum of Agreement on October 13, 2010, which expired April 13, 2011; and

WHEREAS, the DPU and DTC executed a Second Extension of Memorandum of Agreement on August 8, 2011, which expired on February 8, 2012; and

WHEREAS, the DPU and DTC executed a Third Extension of Memorandum of Agreement on February 9, 2012, which expired on February 8, 2013, and

WHEREAS, the DPU and DTC executed a Fourth Extension of Memorandum of Agreement on February 8, 2013, which expired on February 8, 2014, and in which the DPU and DTC jointly agreed to modify the MOA to reflect the current addresses of record for notifications, contained in Paragraphs 1 and 2 of the MOA, as follows:

- A. Department of Telecommunications and Cable, 1000 Washington Street, Suite 820, Boston, MA 02118-6500;
- B. Department of Public Utilities, One South Station – 5<sup>th</sup> Floor, Boston, MA 02110; and,

WHEREAS, the DPU and DTC executed a Fifth Extension of Memorandum of Agreement on March 10, 2014, which expired on February 8, 2015,

WHEREAS, the DPU and DTC executed a Sixth Extension of Memorandum of Agreement on February 5, 2015, which expires on February 8, 2017,

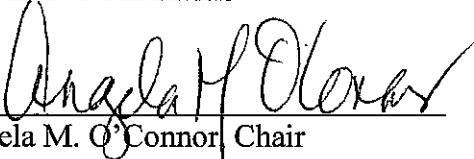
NOW THEREFORE, in light of the foregoing, the parties to the MOA agree as follows:

1. DPU and DTC jointly agree to extend the term of the MOA until February 8, 2022;  
and
2. DPU and DTC jointly agree to be bound by the terms of the MOA executed on October 14, 2008, which will continue to have full force and effect until February 8, 2022, absent any intervening and pertinent statutory amendments to G.L. c. 166, § 25A, G.L. c. 164, § 34B, or federal law, and unless the parties to this MOA execute any extensions or modifications of the MOA before such date.

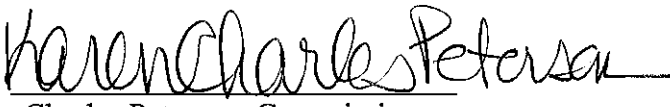
IN WITNESS WHEREOF, DPU and DTC hereby execute this Seventh Extension of Memorandum of Agreement, in duplicate, on the 3rd day of February, 2017.

**COMMONWEALTH OF MASSACHUSETTS**

**DEPARTMENT OF  
PUBLIC UTILITIES**

By:   
Angela M. O'Connor, Chair

**DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE**

By:   
Karen Charles Peterson, Commissioner