



**THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES**

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February 7, 2022

**VIA EMAIL ONLY**

Sean M. Carroll  
General Counsel  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 610  
Boston, MA 02118  
[sean.m.carroll@mass.gov](mailto:sean.m.carroll@mass.gov)

**RE: Pole Attachment Memorandum of Agreement – 8<sup>th</sup> Extension**

Dear Attorney Carroll:

Attached for your records, please find the final executed copy of the Eighth Extension of Memorandum of Agreement between the Department of Public Utilities and the Department of Telecommunications and Cable involving our shared jurisdiction over pole attachments and double poles.

If you have any questions or concerns, please do not hesitate to contact me at [jonathan.goldberg@mass.gov](mailto:jonathan.goldberg@mass.gov). Thank you.

Sincerely,

/s/ Jonathan Goldberg  
Jonathan Goldberg  
General Counsel

Enc.

**Eighth 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, including, as follows:

- A. 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; and

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

WHEREAS, the DPU and DTC executed a Seventh Extension of Memorandum of Agreement on February 3, 2017, which expires on February 8, 2022,

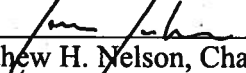
NOW THEREFORE, in light of the foregoing, the parties to the MOA agree as follows:

1. the DPU and DTC jointly agree to extend the term of the MOA until February 8, 2025; and
2. the DPU and DTC jointly agree to modify the MOA to reflect the DTC's current address of record for notification, contained in Paragraph 1 of the MOA, and as previously modified by the Fourth Extension, as follows:
  - a. Department of Telecommunications and Cable, 1000 Washington Street, Suite 600, Boston, MA 02118; and
3. the 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, 2025, 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, the DPU and DTC hereby execute this Eighth Extension of Memorandum of Agreement, in duplicate, on the 7<sup>th</sup> day of February, 2022.

**COMMONWEALTH OF MASSACHUSETTS**

**DEPARTMENT OF  
PUBLIC UTILITIES**

By:   
Matthew H. Nelson, Chair

**DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE**

By:   
Karen Charles Peterson, Commissioner