



CITY OF CONCORD
NEW HAMPSHIRE
Community Development Department
Engineering Services Division

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Edward L. Roberge, PE
City Engineer

CITY OF CONCORD
POLES AND WIRES COMMITTEE

MEETING MINUTES

SEPTEMBER 21, 2012 – 2:00 PM
2ND FLOOR CONFERENCE ROOM, CITY HALL

ATTENDEES

Ed Roberge, City Engineer
Chip Chesley, Director, General Services
Gloria McPherson, Planning Director
Paul Gendron, City Surveyor
Sue Golden, Appraiser
Rick Wollert, Concord Fire

CALL TO ORDER

Ed Roberge called the meeting to order and briefly outlined the agenda.

APPROVAL OF 3/30/12 AND 5/18/12 MEETING MINUTES

Mr. Roberge noted that Chip Chesley was not at the 3/30/12 meeting, and Gloria McPherson was absent from the 5/18/12 meeting, therefore, the minutes of both meetings were deferred to today. Mr. Chesley moved to approve the 3/30/12 and the 5/18/12 Poles and Wires Committee meeting minutes. Ms. McPherson seconded the motion. The motion to approve the minutes was unanimously approved.

PRELIMINARY / FINAL APPLICATIONS

1. Kearsarge Telephone, d.b.a. TDS Telecom, requests for licensure of attachments to and utilization of existing poles, all within the City right-of-way.
Hoit Road, Boyce Road, Shoe String Road, Old Boyce Road, Hoit Road / U.S. Route 4 [State Responsibility], and Hannah Dustin Drive.

Mr. Roberge opened the first item. Paul Gendron indicated that he was originally contacted by Rick Wollert. Mr. Wollert had been contacted by John Jowders of TDS, and was asked to conduct make ready work on the poles along Hannah Dustin Drive. Mr. Gendron then contacted Mr. Jowders for more information related to the project, and he was referred to Mike Bewersdorf. Mr. Gendron indicated that he had been in contact with Mr. Bewersdorf, Senior Network Specialist, and was told that the project had been started along Hannah Dustin Drive. Mr. Gendron explained to him the City's poles and wires process, and Mr. Bewersdorf indicated that he would suspend work until the process was completed.

Mr. Gendron briefly highlighted the proposed route as submitted by Mr. Bewersdorf. He stated that the route starts in Boscawen, crosses the Merrimack River and runs along the northerly section of Hannah Dustin Drive, then runs easterly along Hannah Dustin to U.S. Route 4, also known as Hoit Road. The fiber optic crosses Route 4 to Old Boyce Road, then crosses Shoe String Road and the town line and goes into Canterbury. The fiber goes northerly along Riverland Road, crosses Interstate Route 93, then travels southerly along Boyce Road in Canterbury to the town line. It enters Concord on Boyce Road, then runs easterly along Hoit Road to the Concord / Loudon town line.

Mr. Gendron indicated that he has informed the State of TDS's intent to cross I-93 and U.S. Route 4. He stated that he had also contacted Unitil Energy Systems, Public Service of New Hampshire, and Fairpoint, and none of these utilities have any outstanding issues.

Mr. Gendron recommended that the five applications be approved with the following condition:

That Kearsarge Telephone, d.b.a. TDS Telecom, shall make an annual report to the Poles and Wires Committee informing it of the progress of its infrastructure as of April 1, 2013, and every April thereafter until the infrastructure subject to this petition is completed, at which time TDS Telecom shall notify the Committee of its completion of the project.

Ms. McPherson suggested that the condition be a part of every application. Mr. Gendron indicated that the language will be added to the typical boiler plate. Mr. Chesley made a motion to accept Mr. Gendron's recommendation that the applications be approved. Seconded by Ms. McPherson and all concurred.

In response to Mr. Gendron informing the Committee that TDS has started their work prior to the City issuing a license, Mr. Chesley asked whether the City could create a process to coordinate with the utility pole owners. Mr. Roberge indicated that he was going to bring up the same question under new business. Mr. Roberge asked if the State RSAs prohibited us from telling the pole owners not to issue their permission to attach to their poles until the City issues a license to occupy the right-of-way. He also suggested that the City should at least speak with the pole owners and ask them to

refer potential attachers to the City. Mr. Wollert indicated that Jon Shannon from Unutil Energy Systems has been very good about keeping the City informed about third party attachers that first communicate with them. Mr. Gendron stated that he also had been contacted by Mr. Shannon on many occasions about potential attachers, but stated that Fairpoint rarely contacted him. Mr. Roberge suggested that Mr. Gendron should send a letter to Fairpoint stating that it's important to the City and its process to be made aware of requests to attach to their poles. He stated that it's to the benefit of the attachers, and the pole owners, for the potential attachers to talk with the City first and understand the process.

2. Northern New England Telephone Operations, LLC, d.b.a. Fairpoint Communications, LLC, and Unutil Energy Systems, request for licensure of twenty-three (23) poles on Manchester Street, Airport Road, and Broken Bridge Road, all within a City right-of-way.
Manchester Street, Airport Road, Integra Drive, and Broken Bridge Road.

Mr. Roberge opened the second item. Mr. Gendron explained that this item was related to the roadway and intersection reconstruction of Manchester Street, Airport Road, Broken Bridge Road, and Integra Drive. He explained that many new poles had to be re-set due to the roadway expansion and relocation. He also stated that the actual number of poles is sixteen (16), and that when the agenda was finalized, the total number of twenty-three (23) included seven (7) poles that are actually the responsibility of the State. He stated that he had coordinated with the utilities and the State to have the document updated and that Fairpoint would be supplying a new one to the City for sixteen poles, and a license to the State for seven poles. He stated that all of the poles are in place, that the entire project is substantially complete, and he recommended that the application be approved, and upon receipt of the revised license document, he would distribute for signatures. He also informed the Committee that four of the poles that will be licensed by the State, have been identified by the FAA as poles that will need aircraft warning lights placed on them. He stated that Martha Drukker, of the Engineering Services Division, is coordinating this requirement with the pole owners and the State.

Ms. McPherson made a motion to accept Mr. Gendron's recommendation that the applications be approved. Seconded by Mr. Chesley and all concurred.

3. State of NH Department of Transportation fiber optic cable installation project along Interstate Route 93 corridor, three sections within the City right-of-way.
South Main Street, Hall Street, and Manchester Street.

Mr. Roberge opened the third item. Mr. Gendron explained the State's project and indicated that staff has had several conversations with Denise Markow of the NHDOT. He stated that the project is funded, the State is moving forward, and the State will own the infrastructure. He indicated that the State's contractor, Liddell Brothers, Inc., specifically Scott Bennett, the general superintendent of the project, had come into the Engineering office on August 21, inquiring into the process and

permits necessary to conduct the work at Hall Street. He indicated that staff is coordinating with Mr. Bennett regarding the excavation application requirements, and Mr. Gendron is coordinating with Ms. Markow for the preparation of the petition and license.

Mr. Gendron indicated that the project is working its way up I-93 and Liddell Brothers is in Hooksett and fairly close to the I-89 interchange. He stated that today he had spoken with Scott Bennett and he stated that they will probably be burying conduit at the I-93 / Route 3A interchange within a week, and that they should be excavating at Hall Street about October 3. The Route 3 / Manchester Street work will not begin until next spring. Mr. Gendron recommended that the applications be approved, and upon receipt of the license documents, he would distribute for signatures.

Sue Golden asked if the State will supply the City with the total length of conduit upon the completion of the project. Mr. Gendron stated that that information could be determined with the City's GIS system.

Ms. McPherson asked if the committee could limit any additional entities utilizing the conduit without City approval. Mr. Wollert stated that he was under the impression from speaking with the State's IT people that the State was possibly interested in leasing space with the conduit. Mr. Roberge indicated that he believed that the project was EOC (Emergency Operations Center) based infrastructure which was related to Homeland Security, and therefore was a high security system and line. Ms. McPherson made a motion to accept Mr. Gendron's recommendation that the applications be approved with the following condition language:

That this License is limited to the project scope and purpose of the State's ITS system and if additional uses are added or the use is changed, additional licensing may be required by the City.

The motion was seconded by Mr. Chesley, and all concurred.

4. New Hampshire Optical Systems, Inc. and Waveguide, Inc. requests for licensure of attachments to and utilization of existing poles, all within the City right-of-way. Water Street, Gulf Street, and Hall Street.

Mr. Roberge opened the item. Mr. Gendron explained that this item was related to the Waveguide project as approved by the Committee at its May 18, 2012, meeting. He indicated that this application is an additional route utilizing and extending the previously approved route. Utilizing GIS maps he reminded the committee of the previously approved route and described this new application. He stated that this new route will start at the westerly side of Water Street, at the pole from which they want to go underground towards Manchester Street, then cross Water Street easterly towards the Unitil substation, then go southerly along Gulf Street, cross the Common Man property along existing poles, cross the I-93 southbound ramp, then head westerly crossing Water Street to the north end of Hall Street, then southerly along

Hall Street to the vicinity of the Granite State College at 25 Hall Street. Mr. Gendron pointed out that part of the route crosses private property owned by the State, Unitil Energy Systems, and the Common Man restaurant. Mr. Roberge asked if the poles are proposed or existing. Mr. Gendron stated that they are existing poles. Ms. McPherson asked if the Committee could require Waveguide to secure easements from the private property owners before approving this application. Mr. Gendron suggested that that wasn't the City's responsibility, but that he had specifically informed the applicant that he would need to secure easements or permission from the private property owners.

Mr. Gendron recommended that all of the applications be approved. Ms. McPherson made a motion to accept Mr. Gendron's recommendation that the applications be approved and suggested that the applicant be advised that easements or permission might be required from the State or the private property owners. Seconded by Mr. Roberge and all concurred.

5. New Hampshire Optical Systems, Inc. and Waveguide, Inc. requests for licensure of attachments to and utilization of existing poles, all within the City right-of-way. Pleasant Street.

Mr. Roberge opened the item. Mr. Gendron explained that this item was also related to the Waveguide project as approved by the Committee at its May 18, 2012, meeting. He indicated that this application is an amendment to the previously approved route. Utilizing GIS maps he reminded the committee of the previously approved route and described this new application. He stated Jay Dunn of Waveguide had indicated to him that Fairpoint was requiring Waveguide to go underground for a portion of Pleasant Street from approximately Rum Hill Road, and then westerly to approximately Langley Parkway. He indicated that he was told that there is no room on the poles for this section of road. Mr. Dunn had also stated, as shown on the map, that a new section of conduit, approximately 110 feet, needs to be placed by Fairpoint. Mr. Gendron indicated that he had advised Mr. Dunn that Fairpoint would also have to come to the Committee for a license. Mr. Gendron indicated that Mr. Dunn would get back to him after speaking with Fairpoint to discuss how much conduit is actually in the ground and how much needs to be added. Mr. Gendron also indicated that he had not been contacted by Fairpoint regarding this proposed section of conduit.

Mr. Gendron recommended that consideration of this item be tabled at this meeting pending further information related to the conduit.

Mr. Roberge made a motion to accept Mr. Gendron's recommendation that the item be tabled until the next meeting. Seconded by Ms. McPherson and all concurred.

OLD BUSINESS

1. Streamline Maintenance Group, on behalf of Bayring Communications, request for feedback related to installation of attachments and underground conduit, all within

a City right-of-way.
Langley Parkway.

Mr. Gendron reminded the Committee that Streamline Maintenance Group and Bayring Communications had approached the City to inquire whether directional drilling or open trenching within Langley Parkway would be acceptable to the City. He stated that this item was for information purposes only, and that no action was necessary by the Committee. He reminded the Committee that Bayring had proposed going underground from Clinton Street to the pole set at the northerly end of Langley.

Mr. Roberge reminded the Committee that he had had concerns with the installation of conduit within Langley Parkway and listed the following issues or reasons: there is no digging within the pavement as the roadway is subject to an excavation moratorium, the retaining wall at the north end will contribute to construction issues, the guard rail will contribute to construction issues, and the under-drain will be an issue. He noted that the City had reached out to utility companies prior to construction and the City received no interest in being in the roadway.

Mr. Roberge stated that staff met with Donny Pelletier on July 28, 2012, to discuss the project and their options. Mr. Pelletier indicated that the project was intended to give Concord Hospital an additional fiber optic route between its facilities. Mr. Roberge indicated that he had stated that the City would not allow any excavation within the Langley Parkway right-of-way. The options discussed included placing the fiber in Pleasant Street or utilizing utility poles from the Unitil sub-station southerly of Pleasant Street, and across private property to Clinton Street.

Mr. Gendron stated that he had not heard back from Mr. Pelletier since the meeting on July 28.

2. segTEL, request for Licensure of new fiber optic cable to be installed on several streets, within the City right-of-way.

School Street, Pine Street, Centre Street, Washington Street, North State Street, Fisherville Road, and Village Street.

Mr. Roberge explained that this item is related to the segTEL application approved at the March 25, 2011, committee meeting. The committee was reminded that segTEL had applied for a route that started at its School Street location, then traveled northeasterly to North State Street, then northerly along North State Street to Fisherville Road and Village Street. He stated that the licenses had been approved with several conditions, one of them being that segTEL's installation shall utilize the main line run and not the redundant pole line on the east side of North State Street.

Mr. Roberge reminded the committee that despite several steps taken to avoid the placement of segTEL's fiber on the redundant pole line, it still occurred. Mr. Roberge stated that as of August 15, 2012, segTEL had still not relocated their fiber to the westerly side of North State Street. He indicated that he then contacted the PUC and

demanded a hearing to address the issue. He stated that the PUC intervened and coordinated a meeting with all of the parties, which occurred within a week of him contacting the PUC. He stated that within a week of the meeting, all of the make ready work had been surveyed and that a new pole had been placed Thursday, September 20, and a second pole had been scheduled to be replaced on Friday, September 21. Mr. Roberge asked Mr. Wollert if Kath Mulholland had contacted him to conduct his make ready work on the new poles. Mr. Wollert stated that she hadn't. Mr. Roberge asked him if he could finish his work by the end of next week and Mr. Wollert stated that he could.

NEW BUSINESS

Mr. Roberge stated that he wanted to discuss pole fees and whether the \$10 fee for petitions, pursuant to the State RSAs, was sufficient for the amount of work that staff conducts in the Poles and Wires process. Using the second item as an example, which has 16 poles, he asked if the committee should require a separate petition, and a \$10 fee, for each pole. Mr. Wollert suggested that staff should check with other communities to see what process they used and what fees are being charged. Mr. Roberge suggested that Engineering Services might create a job number for Poles and Wires work to be able to track how much time goes into the process. Mr. Gendron indicated that he would check with other communities and discuss it at the next meeting.

INFORMATION

None.

NEXT MEETING

Mr. Gendron noted that the next meeting is scheduled for December 21. He suggested that it be moved up to December 14, so as not to occur the Friday before Christmas Eve, which is the following Monday.

ADJOURNMENT

There being no further items to discuss, Mr. Chesley made a motion to adjourn and was seconded by Mr. Roberge.