



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 30, 2011 – 2:00 PM

2ND FLOOR CONFERENCE ROOM, CITY HALL

ATTENDEES

Ed Roberge, City Engineer
Chip Chesley, General Services Director
Steve Henninger, Acting Planning Director
Kathryn Temchack, Director of Real Estate Assessments, Assessing Department
Rick Wollert, Concord Fire Dept.

CALL TO ORDER

Ed Roberge called the meeting to order and briefly outlined the agenda. He indicated that Paul Gendron was absent from the meeting but had provided him with the information necessary to conduct the meeting.

APPROVAL OF 3/25/11 MEETING MINUTES

Chip Chesley moved to approve the 3/25/11 Poles and Wires Committee meeting minutes. Ed Roberge seconds the motion. After brief concurrence the motion to approve the minutes was unanimously approved.

NEW / CONDITIONAL APPLICATIONS

1. Waveguide, Inc., Request for Licensure of attachments to and utilization of existing poles and underground conduit, all within a City Right-of-Way.
South Street, Clinton Street, South Fruit Street, Pleasant Street, Hopkinton Road [State Responsibility], Warren Street, Holt Street, School Street, Pine Street, Washington Street, North

Main Street, Horseshoe Pond Lane, North State Street, Fisherville Road, Village Street, Commercial Street, Delta Drive, Institute Drive [State Responsibility], Fan Road [State Responsibility], Interstate Route 393 [State Responsibility], Fort Eddy Road, Loudon Road, Airport Road, Manchester Street, Old Suncook Road, Blodgett Street, Pembroke Road, and Sheep Davis Road [State Responsibility].

Ed Roberge explained that this is a new item and that preliminary system routing plans were provided as shown. Paul Gendron has been in contact with Jay Dunn of Waveguide to start the poles and wires process. When Mr. Gendron originally spoke with Mr. Dunn, who was aware of the Committee and contacted the City, Mr. Dunn asked that the item be placed on the September agenda. Recent correspondence between Mr. Dunn and Mr. Gendron indicates that the project is several months away from starting, that communication with the pole owners is in the preliminary stage, and that it would be premature for the Committee to act on the item. Ed Roberge indicated that Mr. Dunn had submitted a map delineating the proposed location of wire and conduit but final details and petition documents would follow later this year.

Mr. Dunn arrived at the meeting at 2:30 PM. He outlined the project to the Committee and stated that the project has received grant money. He indicated that Network New Hampshire Now will break ground on a statewide high-speed broadband network and the contract for the Phase One "Middle Mile" Fiber Network has been awarded to Nashua, NH based New Hampshire Optical Systems. He stated that petitions and licenses will be prepared for Committee review. He anticipates early to mid-spring of 2012 for the start of construction. By referencing the map that Mr. Dunn submitted, Rick Wollert asked what IMC-uWave refers to. Mr. Dunn indicated that he was not aware of it and would get back to the Committee. Ed Roberge discussed the redundant pole lines on Route 3 and stated that it would be a condition of the approval that the redundant lines not be utilized. He also stated that reports outlining construction progress would be required every April 1. Mr. Dunn stated that the Committee should see documents in December with applications and that a progress report will be submitted in April 2012. Kathryn Temchack asked whether this was a public or private project and whether it would be tax exempt. Mr. Dunn indicated that Waveguide would own the project and lease out space to the University.

Mr. Henninger expressed a concern with the number of different providers using the same pole line. An example is Washington Street between Centre Street and North State Street. Beyond the concern with physical space on the poles, the possibility of a single tree falling, or a motor vehicle accident disrupting three or

more providers is the main concern. It was noted that we are in the early stage of system development with each provider having limited redundancy. While the Committee pointed out that this was not its charge, Mr. Henninger commented that this is an issue the industry should address.

OLD BUSINESS

1. Bayring Communications LLC, Request for Licensure of attachments to and utilization of existing poles and underground conduit, all within a City Right-of-Way.

West Commercial Street and Locke Road.

Ed Roberge explained that this item is related to the Bayring application approved at the February 5, 2010, committee meeting. The committee was reminded that

Bayring had applied for a route that started near NH Route 106, then generally went down Loudon Road, East Side Drive, Foundry Street, down West Commercial Street, crossed the river, and then down to the Fayette Street area. Apparently Bayring neglected to include licenses for the run up West Portsmouth Street and Locke Road. This omission came to light this past March when Streamline Construction contacted the City to inquire into the process for directional boring and installing conduit under and across Locke Road. The City was informed by Streamline that Bayring had overhead fiber optic on the west side of Locke Road, and the business at 42 Locke Road wished to be connected to it. Staff then contacted Bayring to discuss the new information and to request that licenses be submitted to the committee. Chip Chesley asked if there are any other locations we are not aware of. Ed Roberge indicated that Paul Gendron had asked if Bayring had any other unlicensed locations within the City, and we were told that this is the only area. Kathryn Temchack asked if this area had been included on their April 2011 progress report. Ed Roberge answered that he was not aware and he would have Paul Gendron investigate. A brief discussion ensued as to whether a database was available to keep track of the various projects and their progress. Ed Roberge indicated that he would check with Paul Gendron and discuss with him.

Steve Henninger made a motion to accept the recommendation that the application be granted. Chip Chesley seconded and all concurred. Final petition and license documents were executed.

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.

Ed 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 Fisherville Road and Village Street. The licenses, one for each street, were approved with several conditions, one of them being:

That segTEL's installation along North State Street, Fisherville Road, and Village Street shall utilize the main line run and not the redundant pole line.

Ed Roberge stated that he wanted to make the full committee aware that despite several steps taken to avoid the placement of segTEL's fiber on the redundant pole line, it still occurred against the City's wishes in spite of: specific conditions being included on the face of the licenses; the licenses and the conditions being acknowledged and accepted by a segTEL employee on April 27, 2011; a letter being sent to Jeremy Katz of segTEL on May 25, 2011 informing him that we were aware that segTEL was pursuing installation on the redundant pole line and that the City was concerned with this; and several phone calls to Kath Mulholland and Jeremy Katz, some of which were not returned, which prompted a letter to be issued to Jeremy Katz on August 15, 2011. On August 18, 2011, myself, Paul Gendron, Rick Wollert, and Chip Chesley met with Jeremy Katz on site to view the installation of fiber. It was decided that segTEL could keep their fiber in place, but Jeremy Katz would send a letter to the Committee stating that he understood the original condition, that he was sorry that it had occurred, and that segTEL would cooperate with the City at the time that the City requires the pole owners to relocate or remove the redundant pole line. Ed Roberge also added that Jeremy Katz had sent an email today apologizing for not sending the letter yet and that it would be sent next week.

Kathryn Temchack asked if the April 2011 report for segTEL was accurate. A brief discussion ensued in which it is noted that Rick Wollert had pointed out at a previous meeting that he believed that segTEL had installed underground facilities but that segTEL had also indicated that they had not installed anything. Ed Roberge indicated that Paul Gendron would confirm information.

3. Production of GIS map indicating location of licensed private utilities within the City.

Bayring, Concord Hospital, and segTEL.

Ed Roberge explained that the GIS was now up to date with the physical location of

three private entities: Bayring, Concord Hospital, and segTEL. He indicated that the map would be kept up to date as different entities install equipment.

Kathryn Temchack indicated that Concord Hospital has been billed for their ROW occupation, but segTEL and Bayring have not. She indicated that she had not received that information yet. Another discussion ensued about a database to keep track of the various projects, and Steve Henninger asked whether the State and City fiber networks could be added. Rick Wollert indicated that he would provide GIS with a layout of the City's fiber system to include on the map. Ed Roberge indicated that Paul Gendron would research the State's system and supply it to GIS.

NEW BUSINESS

1. Unitil and Fairpoint Double Poles.
City Wide.

Brief discussion ensued regarding the prevalence of double poles throughout the City. Ed Roberge pointed out that this is probably a New England wide issue. Double poles have existed since Verizon has owned the infrastructure. Fairpoint inherited the problem when it purchased Verizon.

He indicated that he would ask the utilities for information related to their capital program and ask them for a report of the double poles in their inventory.

NEXT MEETING

Ed Roberge noted that the next committee meeting is scheduled for December 16, 2011.

ADJOURNMENT

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