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August 19, 2013

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Via U.S. and Electronic Mail

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

***Re: DT 12-054 – Comcast of Maine/New Hampshire, Inc. et al.
Petition for Authority to Construct and Maintain Fiber Optic Cable
Over and Across 240 Public Waters***

Dear Ms. Howland:

I am writing on behalf of Comcast of Maine/New Hampshire, Inc. and its affiliates, Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC, Comcast of Massachusetts/New Hampshire, LLC and Comcast of New Hampshire, Inc. (collectively “Comcast”) for the purpose of bringing closure to the above-captioned docket and to obtain final licenses for all existing Comcast water crossings pursuant to the newly enacted RSA 371:17-b.

On February 29, 2012, Comcast filed a petition pursuant to RSA 371:17 for a general license to permit Comcast to maintain its existing cables and other wires over and across certain of the State of New Hampshire’s public waters. Comcast’s filing was comprehensive, and included not only a list of all relevant water crossings for which it was seeking a general license, but supporting documentation, including for each crossing the municipality in which it resides, a description and nearest cross street, the name of the water body crossed, latitude and longitude coordinates, Google maps, photographs and survey drawings.

On February 26, 2013, Staff filed a Memorandum with the Commission concerning Comcast’s petition. By letter dated March 15, 2013, Comcast, with Staff’s concurrence, requested that the Commission refrain from taking any action on Staff’s Memorandum because Comcast and Staff were working collaboratively to resolve the issues raised in the Staff Memorandum. On June 19, 2013, the above-referenced statute was amended to streamline the licensing process for water crossings in New Hampshire and included new provisions relating to the licensure of existing public water crossings not previously licensed. *See* Laws of 2013, Ch.

82:2, RSA 371:17-b. This new statute which requires a far less burdensome process than the earlier version unquestionably applies to Comcast's petition and provides as follows:

License by Notification of Existing Crossings on Existing Poles.

Existing crossings on existing poles as of the effective date of this section, not previously licensed, shall be considered temporarily licensed without further inquiries or investigations. Any party seeking a license under this section shall file a complete list identifying the specific geographic and pole locations of each existing crossing with the commission within 2 years of the effective date of this section. Upon receipt of such list, no further inquiries or investigations by the commission shall be undertaken and the commission shall issue a final license. Any temporary license shall expire upon the issuance of a final license.

In light of the enactment of the foregoing statute, Comcast's existing crossings are temporarily licensed without further inquiries or investigations, rendering the need for the above-captioned docket moot. Comcast now respectfully requests that its comprehensive February 29, 2012 petition and supporting information be considered its list of existing crossings for which it seeks a permanent license in accordance with RSA 371:17-b and that Comcast be granted a final license for all of the existing water crossings identified in its petition and supporting documents without further Commission inquiries or investigations.

The documentation the Commission has on file in Docket DT 12-054 with respect to Comcast's existing crossings includes a list identifying existing crossings over bodies of water identified by the Commission as those at or above the 4th Order River as set forth in the Official List of Waters compiled by the New Hampshire Department of Environmental Services. The supplemental documents submitted with the list identify with specificity Comcast's existing crossings over the above-referenced water bodies. Comcast has identified the location of each crossing by municipality and water body, and indicated the water body's "order" or whether it is a lake or pond. The supplemental documents submitted with said list identify the specific geographic and pole locations of each existing crossing by municipality, waterway, coordinating Comcast map number, street name, pole numbers and GPS latitude and longitude coordinates of the poles. In addition, Comcast has also provided field survey sketches of each crossing, the type of plant (e.g. strand size), maps showing the locations of the crossings, and photographs of the crossings.

Comcast has therefore met and, in fact, far exceeded the filing requirements of RSA 371:17-b which simply require Comcast to "file a complete list identifying the specific geographic and pole locations of each existing crossing." Comcast therefore qualifies for a final license for the identified water crossings pursuant to RSA 371:17-b.

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Please note that under Laws of 2013, Ch. 82:5, RSA 371:20, no hearing is required for filings made under RSA 371:17-b, and the Commission's Executive Director is authorized to issue the requested license.

For the foregoing reasons, Comcast respectfully requests that you please forward Comcast's final license for its existing water crossings at your earliest convenience, as well as a Secretarial Letter closing the above captioned docket.

Please contact me if there are any questions about this letter. Thank you for your assistance in this matter.

Very truly yours,


Susan S. Geiger

SSG/gvb
cc: Service List (electronic mail)

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