

COMMONWEALTH OF MASSACHUSETTS

CITY OF CAMBRIDGE

IN RE: POLE AND CONDUIT COMMISSION HEARING

POLE AND CONDUIT COMMISSION BOARD MEMBERS:

Richard V. Scali, Chairman
William Dwyer, Superintendent of Streets
George Fernandes, City Electrician

STAFF:

Patricia Lewis

- held at -

Michael J. Lombardi Municipal Building
831 Massachusetts Avenue
Basement Conference Room
Cambridge, Massachusetts 02139
Thursday, January 15, 2009
10:00 a.m.

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P R O C E E D I N G S

MR. SCALI: Since Mrs. Lint is on vacation, we have Patricia Lewis here today filling in. I will announce the meeting.

This is a meeting of the Pole and Conduit Commission. It is Thursday, January 15, 2009. It's now 10:17 a.m. We are in Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room. Present are the three Commissioners, myself, Chairman, Richard Scali, George Fernandes, and Bill Dwyer.

We will begin the meeting with a motion to accept the minutes from the last meeting. Moved

MR. FERNANDES: Second.

MR. DWYER: Yes.

MR. SCALI: All in favor?

MR. FERNANDES: Yes.

MR. SCALI: Aye.

MR. DWYER: Yes.

MR. SCALI: Any residents of Cambridge here? There are some people from Jay Street. Do you want to come forward? We'll go to the middle of Page 2, first, which is the NStar location for Jay Street, westerly side, 83 feet south of Western Avenue installing one pole, one existing pole to be removed.

Good morning everybody.

MR. SHAH: Good morning.

MR. SCALI: Just tell us who you are for the record, please.

MR. SHAH: My name is Ajay Shah. I'm the property owner at 19 Jay Street.

MR. SCALI: Jay.

MR. SHAH: A-J-A-Y, last name Shah, S-H-A-H.

MR. SCALI: And you are the owner?

MR. SHAH: I'm the owner at 19 Jay Street, and I'm the one who made the request for the pole relocation.

MR. SCALI: And you are?

MR. YOON: My name is Young-Ho Yoon.

The first name is Y-O-U-N-G - H-O, and the last name is Yoon, Y-O-O-N. I'm the owner of 17 Jay Street who would be affected by the proposed pole location.

MR. SCALI: You are next-door to each other?

MR. SHAH: Yes.

MR. SCALI: So you both made the request to do this? Or, you made the request?

MR. SHAH: I made the request.

MR. SCALI: The purpose of that was to?

MR. SHAH: Because I've had a curb cut installed to create a driveway space.

MR. SCALI: So from what I understand, you're trying to work out some arrangements still.

MR. SHAH: At this point, we'd like to ask the Commission to just put it off for a month so we can try and work with NStar to find a location that everybody is happy with.

MR. SCALI: So the location that you're proposing right now is not acceptable to one

of you; is that what it is?

MR. YOON: Yes.

MR. SCALI: Questions, Commissioners?

MR. DWYER: No.

MR. FERNANDES: No. I'm all set.

MR. SCALI: Motion then to continue to
our next Pole and Conduit. Moved.

MR. FERNANDES: Second.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: We'll see you all in
February.

MR. SCALI: Back to Page 1 from March 19 -- oh, continued. That's wrong.

MS. LEWIS: Ignore that.

MR. SCALI: Mass. Avenue at Hancock 968 feet conduit rebuilding the manhole. We needed NStar's updated plans.

MS. DUFFY: We gave Bill the updated plans and we're going to set up a meeting with our conduit group and Fred from DPW.

MR. SCALI: Set up a meeting with who?

MR. DWYER: Public Works. The plans weren't ready. That meeting hadn't been set up yet but now that the plans are ready, we can find a way to move forward.

MR. SCALI: Still not ready, still need to review them?

MS. DUFFY: Well, he has the plans. I sent them the other day. We just have to set up a meeting.

MR. SCALI: Needs more time. Any other issues?

MR. DWYER: No.

MR. SCALI: Motion to continue.

Moved.

MR. FERNANDES: Second.

MR. SCALI: Seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes

MR. SCALI: Comcast for 17 Highland Street; are we still waiting to hear from the homeowner?

MR. VATALARO: No word.

MR. SCALI: Do you know what the problem is? Don't care?

MR. VATALARO: They're deciding on how to pay for aerial to underground service.

MR. FERNANDES: I'll try and contact them.

MS. DUFFY: I have the electrician's number, George, if you want me to e-mail it to you? Lampasona, do you have it?

MR. FERNANDES: No. I'm going to deal with the owners.

MR. SCALI: Yours is the next one down, same thing?

MS. DUFFY: Yes.

MR. SCALI: Motion to continue on both Comcast and on NStar. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes

MR. SCALI: From January 15, NStar for Fayerweather Street from pole to pole on Reservoir Street, 188 feet of conduit.

MR. VATALARO: That's also Comcast and Verizon, and I believe we were going to do a field meeting.

MR. FERNANDES: Yeah.

MR. VATALARO: As far as the multitude of --

MR. FERNANDES: Which hasn't happened.

MR. SCALI: Too cold to get out there in the field?

MR. FERNANDES: I didn't want to shovel.

MR. SCALI: Can't see it yet, so we need to continue in February.

MR. VATALARO: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Motion to continue.
Moved. Seconded?

MR. FERNANDES: Yes.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: For field investigation,
still.

MR. SCALI: Top of Page 2, from
January, NStar, the Mount Auburn --

MS. DUFFY: The next two are going to
be continued per customer.

MR. SCALI: This one and the next one?

MS. DUFFY: Yeah.

MR. SCALI: Is the customer still not
ready?

MS. DUFFY: Anthony met with them and
they want to wait until summer.

MR. VATALARO: Yeah. I spoke with the
woman running the project, Kelly Begins. They were
already on last month and I was trying to get a
scope of work. She told me it's on hold until the
summertime.

MR. SCALI: So you want to wait. Just
take it off for now and add it back it on when
you're ready?

MR. VATALARO: Revisit it in the
summer I would imagine.

MR. SCALI: So Ms. Lewis, we're going
to take the next two off the agenda until customer

is ready. Just notify Ms. Lewis when you want to put it back on. That's moved. Seconded?

MR. FERNANDES: Yes.

MR. SCALI: All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: That's for both the first and second item on Page 2.

MR. SCALI: New Application for NStar, southerly 125 feet west Fayerweather from pole, a distance of five feet conduit, NStar.

MR. VATALARO: I believe they are also looking for Comcast service, and I believe this was already approved for Verizon.

MS. DUFFY: Verizon was, back in August.

MR. VATALARO: So I don't have a scope of work of what they want me to do so I still need to meet with the homeowner or the contractor to find out what's going on.

MR. DWYER: What's the company called; Foxforms or Thoroforms or something like that?

MR. VATALARO: I'm not positive.

MS. DUFFY: Charles Barusowith; that's the customer we have on here.

MR. DWYER: I think it's the same project.

MR. SCALI: So you still want to wait?

MR. DWYER: I guess we probably should.

MS. DUFFY: No. We want to go ahead with that because Verizon was already approved in August, and we're going from the same pole, Pole 3.

MR. SCALI: Do you want them to go forward?

MR. DWYER: Do you know if you're going to be on the same pole or not?

MR. DWYER: They're all going on the same pole; right?

MS. DUFFY: As far as I know.

MR. FERNANDES: We'll wait.

MS. DUFFY: You want to continue ours?

MR. FERNANDES: Yeah.

MS. LEWIS: What street is that?

MR. SCALI: This is Gurney Street.

Motion to continue. Still need Comcast application. Moved.

MR. FERNANDES: Seconded.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Bottom of Page 2: New Application for NStar for Upland Road, southerly side, 100 feet west of Mount Vernon, one pole and one pole to be removed.

MS. DUFFY: We're relocating the pole because of the driveway.

MR. SCALI: And the sidewalk?

MS. DUFFY: Yes.

MR. SCALI: Mr. Fernandes, any concerns?

MR. FERNANDES: I know about this other than it's a new sidewalk; correct?

MR. DWYER: Yes, it is. This is that longtime discussion with that gentleman.

MR. FERNANDES: Yes. And there is a riser there I believe, telephone, so there's going to be some excavation.

MR. DWYER: Is it going to be confined to the sidewalk, do you know?

MR. FERNANDES: It will be confined to the sidewalk.

MR. DWYER: Let's move ahead with this

and then we'll deal with permits. With the permit process, we'll deal with what's got to take place as far as in the field.

MR. SCALI: You guys are going to remove the old pole at the same time?

MS. DUFFY: Yes.

MR. FERNANDES: No. They set a new pole when they go back.

MR. SCALI: That's what I was thinking was going to happen.

MR. FERNANDES: He probably won't be able to use his driveway for another year or so.

MS. DUFFY: Hopefully not.

MR. SCALI: You need to remove the pole obviously for them to use the driveway; right?

MS. DUFFY: Right.

MR. SCALI: Motion to approve.

MR. FERNANDES: Second.

MR. SCALI: Subject to making sure the pole is removed. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes. DPW and permit

regulations.

MR. SCALI: Subject to DPW --

MR. DWYER: Electrical Department
permits and specifications.

MR. SCALI: And permits and specs.

MR. SCALI: Top of Page 3, from January, CCG Communications.

MR. ADAMS: I'm Tony Adams. I'm with Next G, because these are kind of related in a small way. I'll be quiet.

MR. SCALI: I was wondering why you were sitting there.

So this is CCG Communications for the ability to trench on Mass. Avenue from the Next G handhole to the Level 3 manhole a total of 50 feet.

Just tell us your name for the record, please.

MS. GRAVALLESE: Raquel from CCG.

We actually went out and took a second look at this to try and see if we could come up with another plan so we didn't have to trench since it's newly paved on Mass. Avenue there. So we actually came up with a plan to trench on the grass area on Memorial Drive, which is I believe considered DCR property. Tony has gone ahead and gotten all the permitting for that for Next G and CCG to trench.

MR. ADAMS: It's no longer in the City of Cambridge.

MR. DWYER: It's still in the City of Cambridge; it's not our property.

MR. FERNANDES: Do you have a map in there?

MR. ADAMS: Yeah. Here's the permit.

MR. SCALI: So you don't need this anymore?

MR. ADAMS: I don't believe so.

MR. SCALI: If this is what we're going to do. This application, they are not going to be doing it on City of Cambridge land.

MR. DWYER: I understand what you're saying.

MR. SCALI: It's DCR property.

MR. DWYER: Right.

MR. ADAMS: Here's the map.

MR. SCALI: So the plan is to do it on DCR property in the grassy area on Memorial Drive?

MS. GRAVALLESE: Yeah, correct. We figured we wouldn't have to dig up the road and it

would just be easier for everybody.

MR. SCALI: And DCR was okay the permits?

MS. GRAVALLESE: Tony went ahead and got the permit on that, yes.

MR. SCALI: And they gave it that quickly?

MR. ADAMS: We had a permit but our permit showed digging from Level 3 manhole in Mass. Avenue, but it's actually 12 feet back into what you just re-did. So we went and redesigned it. The pole is still the same light pole that we're replacing, just in the sidewalk, but instead of digging on Mass. Avenue we've adjusted to come from a Level 3 manhole that's in the middle of Memorial Drive, 300 feet down, west. DCR was okay with it.

We have some mitigation we're doing. We're replacing some sidewalks and we're putting some grass. They agreed to let us do it. They had a stipulation that we discuss with the City of Cambridge any noise.

MR. SCALI: Noise?

MR. ADAMS: When we do the work, just make sure that we do it within your recommended hours of operation.

MR. DWYER: Good idea.

MR. SCALI: Let's just take a look at the plan here and see if we can figure it out.

MR. FERNANDES: There's no street light. They're picking up here instead of going into Mass. Avenue.

MR. SCALI: They're going to be going here?

MR. FERNANDES: Uh-huh.

MR. SCALI: It's on the Cambridge side of Memorial Drive, this grassy area?

MR. ADAMS: It's all right in the --

MR. FERNANDES: The main pole is in MIT.

MR. DWYER: On Memorial Drive as opposed to the river side of Memorial Drive.

MR. ADAMS: Which would be Boston. Yeah, it's the Cambridge side, yes.

MR. SCALI: Isn't that considered to

be Cambridge property on that side?

MR. FERNANDES: It's still DCR.

MR. DWYER: To the sidewalk, that's DCR.

MR. ADAMS: They had us do a delineation line between DCR and Cambridge when we went for the permit. It's on there but it's hard to see. It's roughly the back or walk.

MR. DWYER: The back sidewalk.

MR. SCALI: Any questions?

MR. DWYER: Is that the only copy you have there, folks?

MR. ADAMS: I have an extra copy of the permit and the plans if you would like.

MR. DWYER: That would be wonderful if you could provide that for us.

MR. SCALI: Can we keep this here?

MR. ADAMS: Yes.

MR. SCALI: So we can withdraw this application; am I right?

MS. GRAVALLESE: Yes.

MR. DWYER: Who's going to own the

conduit?

MR. ADAMS: They're going to own the two feet of conduit from Level 3 to -- go ahead.

MS. GRAVALLESE: We're going to own from the manhole leaving Level 3 to their handhole.

MR. ADAMS: Which is two feet.

MR. DWYER: But you're pulling the permit?

MR. ADAMS: Yeah. We're acting as the agent to build it.

MR. DWYER: You're pulling the permit actually so you're working under their permit.

MS. GRAVALLESE: Yes. I believe our name is on the permit as well.

MR. ADAMS: It's on the drawings and they know that it's going to be done that way.

MR. DWYER: Fine.

MR. SCALI: This application is withdrawn so there's no permits needed with regard to the DCR application; right?

MR. DWYER: Right.

MR. SCALI: All right. Next?

MR. DWYER: One more question, sorry. You're tying into the manhole. Where is that manhole, again? That's why I wanted to see the plan.

MR. FERNANDES: Memorial Drive.

MS. GRAVALLESE: Yeah. It's in the grass area.

MR. ADAMS: It's in the center.

MR. DWYER: All right. I recall which one it was.

MR. FERNANDES: This one here. It's in the grass that comes across.

MR. ADAMS: And here's our node here. So we go in the grass here.

MR. DWYER: All right.

MR. ADAMS: This is the dig that they want us to make sure we do it at a time when we're not disturbing the noise level.

MR. DWYER: All right, thank you.

MR. SCALI: All right?

MR. DWYER: Yes.

MR. SCALI: Next is CCG Communications for the ability to trench on Albany Street from the Next G handhole to Level 3 manhole, picking up an existing trench, a total of 20 feet.

MS. GRAVALLESE: We've actually gone ahead and reworked this one as well to try to avoid digging a trench. We actually are going to go ahead and pick up another manhole that is in between Osborne Street and Portland. It comes out of the back of 700 Main Street where we have existing conduit in the ground that's been previously approved.

So basically what Next G is going to do is just put a manhole over our conduit and tie in that way. So we will actually own the conduit breaking out of Level 3. We already have broken out of Level 3 to the Next G manhole. It's just easier that way. That way we didn't have to involve Level 3; the conduit is already in the ground. It's just a matter of putting in a Next G manhole rather than digging a long trench.

MR. FERNANDES: So it's on Albany.

MR. DWYER: This is the Level 3, the large run they have, the conduit run they have?

MR. ADAMS: Yes.

MR. DWYER: You're going to put a manhole over the hole?

MR. ADAMS: No.

MS. GRAVALLESE: Over our existing conduit. We've already broken out of that manhole to tie in to private property on 700 Main Street, which ends up being right next to the Level 3 manhole. So Next G is just going to go ahead and put a manhole right over our existing conduit, break into it.

MR. ADAMS: It's over theirs and ours, so there's no conduit. They would just have to put the handhole there and we can make the connection.

MS. GRAVALLESE: They already have an existing trench that runs down a length of Albany Street.

MR. ADAMS: We went out there with Peter and Jeff, Jeff Harrington.

MR. DWYER: Who's going to own the

manhole?

MR. ADAMS: It would be Next G.

MS. GRAVALLESE: And we're going to own from the Level 3. We're going to own our conduit.

MR. DWYER: And you already have conduit in that manhole?

MS. GRAVALLESE: Yeah. It's already there.

MR. ADAMS: So we took your advice and fixed these two.

MR. SCALI: Wow.

MR. DWYER: A step in the right direction. The right thing to say, too.

MS. GRAVALLESE: If we can avoid digging up the street, we like that.

MR. FERNANDES: It's going to be a 12-by-12-by-12 excavation here, probably.

MR. ADAMS: No, no, no. It's only a three-by-three.

MR. SCALI: This application is not what you're doing, what's on here?

MR. FERNANDES: No.

MR. ADAMS: It's revised to be just placing the manhole.

MR. SCALI: So they need to submit a new request for the manhole.

MR. ADAMS: On this particular one, if we've already been granted for that street, and I'm not sure if we need to do the application instead as Next G since we already have the grant for the conduit.

MR. FERNANDES: Who owns the handhole?

MR. ADAMS: We would own it.

MR. FERNANDES: They're going to own the handhole?

MS. GRAVALLESE: Yeah, and we would own from their handhole, the conduit to the handhole, which is already there.

MR. ADAMS: Which is already in place. It's been granted.

MR. FERNANDES: The one you're placing, who's going to own that?

MR. ADAMS: We would own that.

MR. SCALI: Then you need to apply.

MR. ADAMS: So we'll apply for that handhole.

MR. SCALI: So Next G needs to apply for a handhole, Ms. Lewis, and this application is withdrawn.

MS. LEWIS: This one is withdrawn.

MR. DWYER: With that, given that they are going to reapply, then we'll approve it; is that what we're going to do?

MR. SCALI: Right. Well, do you want to approve it now?

MR. FERNANDES: I'm good with it.

MR. ADAMS: There is kind of a little bit of a sense of urgency with this.

MR. SCALI: You're going to do it in this weather?

MR. ADAMS: This connection, this one connection and the other one on DCR, which they've given us the okay to build actually is --

MR. DWYER: They haven't given the okay to actually physically install it.

MR. ADAMS: Yeah.

MR. SCALI: Now?

MR. ADAMS: Well, if you agree, we're going to try to do it next week, if the sound is -- it's the micro-trench. It's not a big trench. It's the thin one.

MR. DWYER: That's on Memorial Drive.

MR. ADAMS: Yeah. I wanted to just quickly show this. The sense of urgency is if we can't make the connection into Verocity's network, we actually can't light this part of the city for coverage. And you've seen the Metro PCS store on Mass. Avenue now. You've seen the big billboard. It means a lot to us to be able to put that three-by-three in if possible.

MR. DWYER: I don't see it happening until good weather comes our way. Right now, there's three or four feet of frost in the ground.

MR. ADAMS: If the weather turned, that's all.

MR. DWYER: Not for this Board, but for Public Works, if I may, you need to send in a

hardship letter as to why this is an emergency, and it keeps people safe and warm.

MR. ADAMS: Oh, safe and warm.

MR. SCALI: On their phones.

MR. ADAMS: I'll have to have Kosta prepare that letter.

MR. FERNANDES: These do throw some heat though if you use it enough.

MR. ADAMS: I understand what you're saying.

MR. DWYER: The only people they're letting outside dig are sewer and water right now, and gas. Anything emergency like that. That's it.

MR. FERNANDES: Let me ask, while you're there if you'll address the node location on that street as well?

MR. ADAMS: We have an issue with the node location on that street, Albany Street.

MR. FERNANDES: You have to excavate for that too; right?

MR. ADAMS: Well, there's a way to do it without excavating, which we started talking a

little bit about, which I was going to talk to you about after. There's a way to do it without excavating in the short-term.

MR. FERNANDES: All right.

MR. SCALI: We're going to let you apply next month and we'll take it up at that point since there's still a hardship issue anyway.

All right. That's it for CCG?

MS. GRAVALLESE: Yes.

MR. SCALI: Thank you very much.

MR. SCALI: From January, Light Tower. Light Tower is not here.

MR. FERNANDES: I think we should remove that.

MR. SCALI: Motion to --

MR. FERNANDES: Wait a minute. He did come in.

MR. DWYER: He came in last month. He actually explained his whole --

MR. SCALI: He had to work with you still, coordinating with you. Supposedly that was what you had to do.

MR. FERNANDES: He sent me --

MR. DWYER: He's got to submit a make-ready work plan, which I haven't seen. I haven't heard anything.

MR. FERNANDES: He's licensed but there's no make-ready work done yet. We've got to find out what that is. He's got to come back.

MR. SCALI: Motion to continue.

MR. DWYER: I'm okay with that.

MR. SCALI: Moved, seconded. All in

favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MS. LEWIS: Continued until when?

MR. SCALI: To the next Pole and Conduit. When I say continued it means automatically to the next Pole and Conduit meeting.

MS. LEWIS: No reason?

MR. FERNANDES: Make-ready work needed.

MR. SCALI: That's actually good because you actually put that at the top and that reminds us as to what we need to talk about at the next meeting. So that's a good thing.

MR. SCALI: Next G for Main Street and Vassar Street, a distance of 3,082 feet. We were still waiting for a lease.

MR. JOVANOVIICH: Good morning.

MR. SCALI: Good morning.

MR. JOVANOVIICH: What we would like to do here is amend this petition to make it a shorter distance because of the arrangement that we have reached with Verosity/CCG to help us with some of the transport. We were able to lease from Verizon a shorter section that we originally applied for. So the 3000 feet of leased conduit comes down to approximately 774.

MR. SCALI: Are you amending your application to 774?

MR. JOVANOVIICH: Yes, and I have the detail here with a diagram. That's only between two manholes now.

MR. SCALI: Is it on the same route but just --

MR. JOVANOVIICH: Yes.

MR. SCALI: Where on this route are

we?

MR. JOVANOVIK: It's from 526 to about here.

MR. SCALI: It's kind of in the middle of what you originally applied for.

MR. JOVANOVIK: And the piece on Main Street is deleted.

MR. SCALI: This is all deleted?

MR. JOVANOVIK: Yes.

MR. SCALI: So the Main Street piece is deleted and there's a shorter distance of 774 feet.

MR. DWYER: Verocity had empty conduit?

MR. SCALI: On Vassar Street.

MR. ADAMS: You might want to explain this too.

MR. SCALI: That's CCG's.

MS. GRAVALLESE: On Vassar Street?

MR. ADAMS: Yeah. This is the tie on Vassar to the Verizon manhole.

MR. FERNANDES: It's existing fiber.

MR. ADAMS: This is their loop that runs on Vassar. We can tie into it right there.

MR. SCALI: You're going to be tying into existing fiber or existing conduit?

MR. ADAMS: It's existing fiber. We're going to lease the fiber, place the fiber up to Manhole 524, and that Verizon manhole is also where Verosity is, so we can make the interconnection at that point without excavation.

MR. SCALI: You're leasing fiber in a Verizon conduit.

MR. DWYER: What you're showing here is the conduit, the fiber you want to lease from Verosity.

MR. ADAMS: Well, no. That plan right there shows what we're leasing from Verizon. Verosity goes the other way. They go north, which is not on the drawing.

MS. GRAVALLESE: Tony, this is the one that you're picking up some fiber from us?

MR. ADAMS: Yes.

MR. FERNANDES: So this is a Verizon

manhole. Verosity already has fiber in there, and they're going to pick their fiber up at that location.

MR. ADAMS: And take it back to the handhole on Albany Street, the three-by-three. That way we don't have to excavate under the CSX and we don't have to excavate on Main or Vassar.

MR. SCALI: You have no digging at all?

MR. ADAMS: Not on this application, no. It's just placing in Verizon duct and making that tie. So essentially we put the handhole here from that other app that we talked about, and then Verosity has a cable that goes all the way to here and then we tie in again. So that gets us connectivity from here.

MR. DWYER: So they have existing fiber, you just have to go use that fiber.

MR. ADAMS: We're going to lease two fibers from them.

MS. GRAVALLESE: Just an interconnection to get them to Albany Street.

MR. DWYER: You said you've got to add another handhole, you said.

MR. ADAMS: Just the handhole that we discussed previous on Albany.

MR. FERNANDES: On Albany Street.

MR. SCALI: It's that one we already talked about.

MR. ADAMS: And that would actually do quite a bit for us in terms of reducing excavation and allowing our network to come up.

MR. DWYER: That's at Mass. Ave. and -- no, that's at Albany Street down near -- okay, between Osborne and Portland. That's the conduit you just put in recently; right?

MR. ADAMS: Yes. It would be right on the patch.

MR. DWYER: You might have to open up the street in the spring?

MR. JOVANOVIICH: As soon as the weather would allow.

MR. ADAMS: We would prefer to do it as soon as you said we could under whatever

parameters you say we could do it.

MR. JOVANOVIICH: That's the one we're going to send the hardship letter on.

MR. ADAMS: We are going to prepare that.

MR. DWYER: The Commission needs a hardship letter then and that's no guarantee. That's just a request.

MR. SCALI: On this one too?

MR. DWYER: Oh yeah. They can just state they want to excavate tomorrow if we let them.

MR. SCALI: If you're going to do a hardship letter then we should just put this on the next agenda with this application; is that what you're saying?

MR. JOVANOVIICH: This doesn't require that.

MR. SCALI: There's no digging on this one.

MR. DWYER: No, but the handhole does.

MR. JOVANOVIICH: But the handhole

does.

MR. DWYER: That can be under the Public Works specifications/regulations, and stuff like that.

MR. SCALI: This one is not anything to do with what you need.

MR. DWYER: I'm sorry, you're right.

MR. SCALI: You're amending your application to include the one you just submitted to us, shortening the distance, and leasing fiber in that conduit.

MR. JOVANOVIK: Leasing Verizon conduit. And the last two pages is the Verizon license.

MR. SCALI: I'm sorry, the last two?

MR. JOVANOVIK: The last two pages of the amendment.

MR. SCALI: So you already have Verizon permission.

MR. JOVANOVIK: We have it from 524 to 525, 774 feet, if you go to the last page.

MR. SCALI: Okay.

Questions, Commissioners?

MR. FERNANDES: I'm all set.

MR. DWYER: No.

MR. SCALI: Motion to amend the application to include the submission of 774 feet of leased fiber from Verizon as submitted.

MR. JOVANOVIK: Leased conduit.

MR. SCALI: Leased conduit, right.

Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Is that confusing Ms. Lewis?

MS. LEWIS: Do they have to provide a hardship letter?

MR. SCALI: Not on this one, no.

So you're going to take off the agenda the existing description, and replace it with this description here.

MS. LEWIS: Okay.

MR. SCALI: You have a copy of it?

MS. LEWIS: Yes.

MR. JOVANOVIĆ: She has a copy.

MR. SCALI: At the top of Page 4 from January, with regards to the installing one steel utility pole, providing fiber-optic cable connection to the equipment. We were waiting to see if there was a Verizon or Harvard -- if Verizon or Harvard has a conduit to lease, as opposed putting in this pole; right?

MR. JOVANOVIICH: This item and the next item have some similarities in that we're still investigating the best pathway to get to these. We still have to work out some details as far as the attachments to these metal poles. So what we're asking is to continue this item and the next item.

MR. SCALI: Still working out the details?

MR. JOVANOVIICH: Yes.

MR. DWYER: That's Cambridge and Prescott, and Main and Wadsworth?

MR. SCALI: Yes. Motion to continue to the next Pole and Conduit for 2E-19H and 2E-28I. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Yes. Still working out
the details, Ms. Lewis.

MS. LEWIS: All right.

MR. SCALI: Bottom of Page 4, Next G for 2E-36, intersection of Carleton and Amherst for one wooden pole and provide fiber-optic cable connection to the equipment. We were waiting to see if there was an existing conduit on Carleton or Haywood Streets, and you were going to work it out with Mr. Fernandes. Any updates on that?

MR. JOVANOVIK: What we are going to do is for the next meeting we're going to resubmit this with a different pole. It's going to be at the intersection of Wadsworth and Amherst instead of Carleton and Amherst.

MR. SCALI: Submission for an existing pole?

MR. JOVANOVIK: It's going to be an existing pole.

MR. SCALI: Whose existing pole?

MR. ADAMS: Wooden pole.

MR. SCALI: A city pole?

MR. JOVANOVIK: No.

MR. SCALI: A utility pole?

MR. ADAMS: A joint owned utility

pole.

MR. SCALI: So you don't need this?

MR. JOVANOVIICH: We don't need this.
We're going to resubmit. It's withdrawn.

MR. SCALI: Withdrawn on this
application. Will resubmit for another pole,
utility pole.

MR. ADAMS: It's in the same pathway,
it's just closer to Main Street on Wadsworth.

MR. SCALI: Motion? Moved, seconded.
All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. JOVANOVIICH: So we hope that by
next time we'll be able to get it done.

MR. SCALI: Get it done then this
time.

MR. JOVANOVIICH: As done as done can
be.

MR. SCALI: Next time, done.

MR. ADAMS: Next time we come here
we'll be done.

MR. SCALI: Anything else?

MR. JOVANOVIK: Anything else you wanted to talk about?

MR. ADAMS: There's one thing that I wanted to mention that we know you know our customer is opening several stores in Cambridge. They're trying to launch them in the next --

MR. JOVANOVIK: There should be some media hoopla right at the beginning of February.

MR. SCALI: What's the name of your customer, again? Just remind us.

MR. JOVANOVIK: Metro PCS.

MR. ADAMS: I have a map that shows the locations. Maybe I let you look at it, but I wasn't going to submit it for the record. It shows where their stores are in Cambridge and in Boston.

In Boston, there's going to be an event with the mayor of Boston, so there will be a lot of media. We're really hoping that we can do whatever we can do to complete the network prior to their early February launch. We're hearing it's February 4.

MR. SCALI: Is the city manager invited?

MR. ADAMS: I wouldn't be surprised if they reached out to you.

MR. JOVANOVIICH: I wouldn't be surprised if those arrangements were underway.

MR. SCALI: I'm sure it's a different situation in Boston because the arrangement you have is different than here.

MR. ADAMS: The closest store is right on Mass. Ave. It's about three or four blocks down on the right, right on the corner, a big Metro PCS on Pearl Street.

MR. SCALI: What street?

MR. ADAMS: Mass. and Pearl.

MR. SCALI: I guess congratulations are in order. Is Mr. Adams getting a bonus for his completion?

MR. JOVANOVIICH: It depends if we can get that handhole.

MR. ADAMS: It's my 25th anniversary. I'm going to be in the Caribbean regardless. On

February 7, 25 years, I'm not going to be thinking about Next G.

MR. SCALI: Whether there's a grand opening or not, you're going to be there.

MR. ADAMS: We're very very close to being completed with 170 miles of network. We just have 34,000 feet to put here in Cambridge and we will be done, and that's about three or four days worth of work really. It's not a lot of work.

MR. SCALI: I have to tell you, I never thought I'd ever see the day. I'm glad.

Any other business before the Commissioners? Anybody else?

Motion to adjourn? Moved, seconded.
All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Yes.

(Whereupon, the deposition was concluded at 11:00 a.m.)

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS
BRISTOL COUNTY, SS

I, Anne Ouellette, a Professional Court Reporter, the undersigned Notary Public certify that:

I am not related to any of the parties in this matter by blood or marriage and that I am in no way interested in the outcome of these matters.

I further certify that the Proceedings hereinbefore set forth is a true and accurate transcription of my record to the best of my knowledge, skill and ability.

In Witness Whereof, I have hereunto set my hand this 5th day of February, 2009.

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