

COMMONWEALTH OF MASSACHUSETTS

CITY OF CAMBRIDGE

IN RE: POLES AND CONDUIT COMMISSION HEARING

POLE AND CONDUIT COMMISSION BOARD MEMBERS:

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

STAFF:

Elizabeth Y. Lint, Executive Officer

- held at -

Michael J. Lombardi Municipal Building
831 Massachusetts Avenue
Cambridge, Massachusetts 02139
Monday, November 24, 2008
11:00 a.m.

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P R O C E E D I N G S

MS. LINT: Meeting of the Pole and Conduit Commission, Monday, November 24, 2004, at 11:00 a.m. We're in the Michael J. Lombardi Municipal Building, 831 Mass. Ave., Basement Conference Room. Before you are the Commissioners, Chairman Richard Scali, Bill Dwyer, and George Fernandes.

MR. SCALI: If you haven't already noticed, we have a new person sitting here at our table; it's our stenographer. We have a new contract with Reporters Inc., and so we decided we're going to keep really accurate minutes now.

So please be patient with us in terms of speaking clearly, and spelling your name, and all of that. It will be very very helpful for our stenographer; her name is Anne. She'll be here every month, or if it's not her, it will be somebody else from Reporters. So thank you all for your patience.

I apologize for the change from our

meeting last week. I had a funeral to go to so we had to delay until today. So I hope it didn't inconvenience all of you that much. Generally, we don't have meetings on Thanksgiving week, but it was unavoidable. So again, thank you all for coming in today.

We're going to go through our agenda now. I don't know whether our stenographer has a copy of our agenda -- she does.

MR. SCALI: Our first item is from November 20, NStar for Mass. Avenue.

Generally, Madame Stenographer, I don't read the whole thing, I just kind of abbreviate it. So that's okay to abbreviate the description in there, or you can do the whole thing if you wish to, but I'll just read it kind of in general.

It is Mass. Avenue at Hancock, southeasterly, running southerly, then southeasterly to a distance of 968 feet conduit rebuilding manhole. We were waiting for an update on the plans.

MS. DUFFY: We're going to continue this one.

MR. SCALI: Still continuing. Still waiting for the customer to -- I'm sorry, state your name if you could for the record, please.

MS. DUFFY: Jacqueline Duffy, NStar Electric.

MR. SCALI: Just tell us your name for the record.

MS. BARROSO: I'm Susan Barroso, NStar Electric.

STENOGRAPHER: Would you repeat the last name?

MS. BARROSO: Barroso, B-A-R-R-O-S-O.

MR. SCALI: So I'm sorry, the customer is still --

MS. DUFFY: We're going to continue it until spring.

MR. SCALI: Until the spring. So put it on after the moratorium in April.

MR. DWYER: Yes.

MR. SCALI: Is it April or March?

MR. DWYER: It would be April.

MR. SCALI: Continued --

MR. DWYER: March may not be a bad month because then we can work on the plans for the spring because it needs to be ready to go by April. So March would be probably the month to go for it.

MR. SCALI: Motion to continue to March Pole and Conduit. Moved. Seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Also, before I forget, I need to make a motion to accept the minutes from our last meeting which was in October. What was the date in October we had that?

MS. LINT: October 16.

MR. SCALI: Motion to accept the minutes from October 16 Pole and Conduit. Moved, seconded?

MR. DWYER: Yes.

MR. SCALI: All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Next item is -- do we have any more NStar items on here?

MS. DUFFY: No. It's a Comcast and us on the next one.

MR. SCALI: From November 20, for Comcast and for NStar for Highland Street, extending underground service from existing pole on sidewalk to private property at 17 Highland, and for NStar northeasterly, 415 feet west of Sparks from pole, a distance of seven feet of conduit.

Just tell us your name for the record, please.

MR. VATALARO: Anthony Vatalaro, V-A-T-A-L-A-R-O.

I spoke with the customer last week. I think he wanted to continue. We did give him a verbal estimate for the service underground, so we're putting together an official proposal at this point, to send off to him, because I think between the neighborhood, they need to make a determination whether they're going to spend the money for all three utilities to go underground. Otherwise, I

think the pole is just going to get bumped back off the City property I think it was.

MR. SCALI: There are three customers that have to all go underground off that pole; is that what you said?

MR. VATALARO: It's just that one span of cable. Were you guys giving them an estimate too?

MS. DUFFY: I don't know if Glen did. I'm not sure.

MR. VATALARO: They want that one span of cable in front of 17 to go away.

MR. FERNANDES: It affects three customers, and two are sharing the cost, or potentially sharing the cost. So we're waiting to hear from them as to whether that will occur, or not.

MR. SCALI: So there's one more customer that has to agree?

MR. FERNANDES: Uh-huh.

MR. SCALI: In the meantime, the pole that needs to be moved, it depends on that?

MR. FERNANDES: Correct. The pole needs to be moved, it's a matter of where it gets moved.

MR. SCALI: So we need some more time.

MR. FERNANDES: Uh-huh.

MR. SCALI: The next hearing? Do you think you'll have more information in December?

MR. FERNANDES: He should.

MR. VATALARO: Hopefully we hear back from the customer one way or the other.

MR. SCALI: Anybody else want to be heard on this matter?

Motion to continue to December Pole and Conduit. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: At the bottom of Page 1, from November 20, NStar Electric for Fayerweather Street, easterly from pole to pole, a distance of 188 feet-conduit. Fayerweather?

MS. DUFFY: This one was continued by Comcast.

MR. VATALARO: This was another one where there's three spans of cable that need to go away, and there's some question as to how many risers we can put on each pole, and if one of us has to go to the next pole down.

MR. SCALI: So you haven't figured that out yet?

MR. VATALARO: We really need to know the scope of work before I can give the customer an estimate to do the job.

MR. SCALI: So are there some customers who haven't agreed; is that what the issue is?

MR. VATALARO: There's just one customer.

MR. FERNANDES: The utilities have to

make a decision as to how many risers. I think there's too many on a pole.

MS. BARROSO: I think Glen picked Pole 255/11.

MR. DWYER: Who did, Glen?

MS. BARROSO: Glen, yeah.

MS. BARROSO: That's the pole that we're going to at the corner of Reservoir and Fayerweather, so I don't know.

MR. VATALARO: That's the corner of Reservoir.

MS. BARROSO: And Fayerweather.

MR. VATALARO: That's the first pole.

MS. BARROSO: And he goes to Pole 581/4, which is on Reservoir Street.

MR. FERNANDES: The question is how many risers?

MS. BARROSO: We don't know what's existing.

MR. VATALARO: I know NStar needs two, Comcast is going to need two. I think Verizon is going to a manhole, but I don't know if they're

rising up on the furthest pole away.

MR. SCALI: So we need some more time to figure this out. Who's going to take the lead on it? Are you taking the lead on this to figure out how many risers?

MS. DUFFY: Sure.

MR. VATALARO: Wouldn't the City tell us how many risers we can have on the pole?

MR. FERNANDES: You wouldn't like my answer.

MR. SCALI: He's going to say zero.

MR. VATALARO: It is what it is.

MR. FERNANDES: I don't know how many risers are in question, and I think there's already two at Pole 581/4.

MS. BARROSO: Over 40.

MR. FERNANDES: I could have a conversation with Glen and figure that out.

MR. SCALI: So Mr. Fernandes will have a conversation then. Mr. Fernandes will take the lead on this and figure out how many we need.

Motion to continue to December Pole

and Conduit. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: At the top of Page 2.

MS. DUFFY: The next three are all for the same address.

MR. SCALI: So they're all --

MS. DUFFY: For 112 Mount Auburn Street and 114.

MR. SCALI: All different applications?

MS. DUFFY: Yeah.

MR. SCALI: Alternative ones or they all need to be --

MS. DUFFY: Yes.

MR. SCALI: New application for NStar for Mount Auburn Street, westerly, 150 feet west of Eliot to private property line, 23 feet of conduit. And also the next one is NSar Electric for Mount Auburn Street, westerly, 150 feet west Eliot, distance of 120 feet of conduit, westerly approximately 150 feet west of Eliot Street, a distance of 23 feet of conduit. And then NStar as well, from Mount Auburn Street westerly from manhole to private property line, a distance of 25

feet of conduit, NStar.

So this is for a customer?

MS. DUFFY: Yes.

MR. SCALI: Upgrade?

MS. DUFFY: A restaurant and housing.

MS. BARROSO: 112 is going to be the restaurant, and 114 is going to be office space, a restaurant, and apartments I think.

MR. FERNANDES: I think so.

MR. SCALI: Is that the old Chile's location?

MR. DWYER: Yes. Robert Schalger has been developing this property.

MR. SCALI: So they're proposing to reduce the restaurant size and put housing in there as well? Is that what they're proposing?

MS. BARROSO: 112 is the little skinny building on the other side of the street, which there's going to be a restaurant there.

MR. DUFFY: It could be a little retail, commercial retail, housing development.

MS. BARROSO: So the three

applications at 112, one of them is the temp, for 112.

MR. SCALI: The first one is for where?

MS. BARROSO: One of them is for temp service. The temp is the work order 1669972.

MS. DUFFY: The first one.

MR. SCALI: The first one is a temporary order for temporary service.

MS. BARROSO: Correct.

MR. SCALI: The second one is the actual permanent service.

MS. BARROSO: Yes.

MR. SCALI: And the third one is?

MS. BARROSO: Permanent for 114.

MR. SCALI: Questions, Commissioners?

MR. DWYER: No. Public Works is fine with it.

MS. BARROSO: I think they said they wanted to do it by next year, March, they want to start digging.

MR. FERNANDES: For the temp or

permanent?

MS. BARROSO: Both.

MR. FERNANDES: We've got to do communications also.

MR. SCALI: For Verizon, Comcast, you all need to go in there?

MR. VATALARO: Yeah. I haven't been contacted by anybody.

MR. DWYER: I would think the temp would be pretty soon. They'll want to start construction real soon.

MR. SCALI: Temporary services for the construction portion?

MS. BARROSO: Yes.

MR. SCALI: Do you need anything for construction, Comcast? No, you wouldn't need that.

MR. VATALARO: I wouldn't think this season, no.

MR. SCALI: Do you want to approve the temporary service and wait on the permanent?

MR. FERNANDES: Yes.

MR. SCALI: So we still need Comcast

and we still need Verizon for the permanent service.

So motion to approve the temporary service for 112 Mount Auburn; is that right?

MS. BARROSO: Yes.

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

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Motion to continue the second and third applications pending the Comcast and Verizon applications. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MS. LINT: When is that being continued until?

MR. SCALI: You guys need longer than December, you think?

MR. VATALARO: Until the next hearing.

MR. SCALI: To go to the next hearing?

MR. VATALARO: Yes.

MR. SCALI: So it's moved to December.
That's all for you guys?

MR. VATALARO: I think so.

MR. SCALI: Thank you very much.

MR. DWYER: So two of them are
continued; correct?

MR. SCALI: Two of them continued
until December, and the top one is the temporary
one, approved.

MR. SCALI: Next is from November 20, Comcast for 2 Blanchard Road. Extend existing Pole No. 9, on the sidewalk to private property. Place 1-2 inch PVC schedule 40 conduit in public way to private property line.

MR. VATALARO: On this one, I think there was some confusion as to the placement of the new telephone pole.

MR. SCALI: They were not sure the pole is in the right place; right?

MR. FERNANDES: It was not in the right place but it's going to remain where it is.

MR. SCALI: So it's staying where it is?

MR. FERNANDES: Correct.

MR. SCALI: So you're okay with that now?

MR. FERNANDES: Yes.

MR. SCALI: Where they applied for it?

MR. FERNANDES: Yes. It ends up on private property but we're going to take an easement.

MR. SCALI: You're still going to do it?

MR. FERNANDES: Yes.

MR. SCALI: This is also for Verizon, too, the same?

MS. DUFFY: We had ours in there but it's not on there.

MR. SCALI: Yours is not on here?

MS. DUFFY: No. It was continued from last month but it's not on there for some reason.

MR. FERNANDES: So NStar is included in it.

MR. SCALI: We need to pull out the NStar one, Mrs. Lint.

So everyone is in agreement now, it's going to stay in that same spot?

MR. FERNANDES: Yes.

MR. SCALI: Are you okay with that?

MR. DWYER: Yes.

MR. SCALI: Does anybody want to be heard on this matter?

All right, motion to approve.

MR. FERNANDES: Second.

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

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: And that's on the Comcast application, the Verizon application, the bottom of Page 2, and the NStar application, which was not on the agenda but was on last time. That was easy.

MR. VATALARO: Thank you.

MR. SCALI: Top of Page 3, continued from November 20, for Park -- I'm sorry -- Ware Street and Park Street, requesting the ability to lease one Verizon innerduct. This is CCG Communications. I'm sorry, I didn't even give the right company name here. CCG Communications requesting permission to lease one Verizon innerduct in the vicinity of the manhole at Ware Street to manhole at Park Street. CCG fiber optic cable will run through this innerduct along said run into existing Verizon Systems. Trenching will not be necessary.

Good morning.

MS. GRAVALLESE: Good morning.

MR. SCALI: Just tell us your name.

MS. GRAVALLESE: Raquel Gravallese, R-A-Q-U-E-L, Gravallese is G-R-A-V-A-L-L-E-S-E.

I believe the only thing that we were held back on the last time is we didn't have the licenses, which we actually now have.

MR. SCALI: The lease agreement from Verizon?

MS. GRAVALLESE: Yes. I have three copies if you guys want them.

MR. SCALI: Thank you. Pass them around.

Are you okay, Madame Stenographer?

STENOGRAPHER: Yes, I'm fine. Thank you.

MS. GRAVALLESE: This is the actual lease agreement. I believe it's just contingent upon getting your approval.

MR. SCALI: This says here, Broadway and Irving Streets, partial duct. Irving Street, Irving Street, Scott Street and Scott Street.

MS. GRAVALLESE: If you flip to the map in the back, I think it better outlines with the stick drawing.

MR. FERNANDES: Park Street in Somerville.

MR. SCALI: Oh. I was going to say Park Street is not on there.

MR. FERNANDES: So the last piece is here. That's in Cambridge, this is Somerville. I

think Scott turns into Park.

MR. SCALI: So this is the only piece we're talking about right here?

MR. FERNANDES: All the way. Irving Street is a construction project so part of that street is discontinued, so you're going to have to coordinate with the Main library project to get in there.

MS. GRAVALLESE: Okay. Is that something I could discuss with you, Billy, in the construction meetings in the morning?

MR. FERNANDES: Bill Burn.

MR. DWYER: Yeah, Alan Burn; right?

MR. FERNANDES: Alan Burn.

MR. DWYER: You need to contact him. He's on site --

MR. FERNANDES: E-mail me, I'll give you his phone number.

MS. GRAVALLESE: Thank you.

MR. SCALI: You need to coordinate with the construction person?

MR. FERNANDES: Yes.

MR. DWYER: I think there's a Verizon duct going to that project; right?

MR. FERNANDES: I think so, yeah. Maybe we could get rent for that.

MR. SCALI: Notification to abutters?

MS. GRAVALLESE: For that project, it was sent out.

MR. SCALI: The last hearing we had abutter notifications?

MR. FERNANDES: I'm not sure.

MR. SCALI: There's actually no digging happening; right?

MR. FERNANDES: No.

MS. GRAVALLESE: Just manhole entry.

MR. SCALI: Any other conditions, questions?

MR. DWYER: No, I'm fine.

MR. FERNANDES: Just the permit process.

MS. GRAVALLESE: Correct.

MR. SCALI: Motion to approve.

MR. FERNANDES: Seconded.

MR. SCALI: Subject to the permit process. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: You also have one for Vassar Street?

MS. GRAVALLESE: Yes. This was continued from last time.

MR. SCALI: Let me just read it into the record, if you don't mind.

From November 20, CCG Communications requesting permission to install one conduit for existing pole on Vassar, 60 feet in public way to private property at 60 Memorial Drive.

MS. GRAVALLESE: I have this map if you want me to give it to Mrs. Lint.

MR. SCALI: What was the issue from this last time?

MS. GRAVALLESE: We're actually just trying to get approval for digging the trench portion of it. We have submitted a license to Verizon for the poles, so we're still waiting on that, but this is just to get approval for the actual trench portion of the project.

MR. SCALI: So you don't have permission to use the poles yet?

MS. GRAVALLESE: Not yet. It's in the works; it's just going through the process.

MR. DWYER: We have a moratorium that's begun, a digging moratorium.

MS. GRAVALLESE: From the 15th?

MR. DWYER: It just started today. Given that Verizon gives you approval and you still want to pursue any excavation, you need to write a letter to the Commissioner of Public Works about why you want to continue excavation. There's still no guarantee we'll give you permission on that but that's the steps you need to go through.

MS. GRAVALLESE: We just want to feed our customer. We actually wanted to go underground but Verizon is sending everybody up the pole line, down, and then back underground again.

MR. SCALI: But you still have permission for the pole there. The underground portion you do have permission for?

MS. GRAVALLESE: We do have permission, yeah, on the other side, not the pole line.

MR. SCALI: So you still have wait on that anyway.

MS. GRAVALLESE: Right. That should actually be coming in relatively soon.

MR. FERNANDES: You want to do this underground, all of it?

MS. GRAVALLESE: The trench portion from the pole to the actual building and their private way, the sidewalk.

MR. FERNANDES: You have to get permission from Verizon for the poles anyway before you'd excavate.

MS. GRAVALLESE: And we would have to write a letter as far as the trench piece of it?

MR. SCALI: To the Public Works Commissioner.

MR. FERNANDES: There's others looking to occupy those poles as well, I believe.

MS. GRAVALLESE: I believe next year there's one of them, and Verizon is sending everybody up that pole line.

MR. SCALI: Does anybody else want to

be heard on this matter?

I'll make a motion then to continue the matter due to the moratorium, and still awaiting permission for the poles from Verizon. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MS. LINT: When?

MR. SCALI: And that will be until December.

MS. GRAVALLESE: Thank you.

MS. LINT: Can I have one of those?

MR. FERNANDES: Yeah, I have one.

MR. SCALI: Now we are in the middle of Page 3. From November 20, for Light Tower Fiber. Anyone here for Light Tower? I guess they don't have their leases yet; that must be the reason.

We'll continue it again, Mrs. Lint? Have you heard from them at all?

MS. LINT: I have not.

MR. SCALI: Any word from Light Tower?

MR. FERNANDES: No. The map is not appropriate anyway.

MR. SCALI: I'm sorry?

MR. FERNANDES: The map is not appropriate.

MS. LINT: How long do we have?

MR. FERNANDES: Originally I got this one.

MR. SCALI: They're not here anyway, so let's --

MR. DWYER: Is Light Tower working for themselves?

MR. FERNANDES: I don't know.

MR. SCALI: That was my question last time as to who they were.

MS. LINT: Is that the one that is a wholly-owned subsidiary of AT&T?

MR. DWYER: No. I think they are also doing work for the same people Next G are working for, so we probably should find out what the whole scope of work they have planned here, as opposed to just piecemealing it. That's my recommendation, Commissioner.

UNIDENTIFIED SPEAKER: That one was just a fiber run.

MR. SCALI: You have to tell us your name for the record.

UNIDENTIFIED SPEAKER: I don't know that I should comment on that anyway.

MR. SCALI: It's not your application.

UNIDENTIFIED SPEAKER: Right.

MR. SCALI: I'll make a motion then that Mrs. Lint contact Light Tower.

MR. FERNANDES: They also need approval from Somerville as well.

MR. SCALI: Just to see where they're at with their application, and any approval from Somerville. If they want to put it back on the agenda, they can apply to do so.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Right now, it's off the agenda until they apply to put it back on the agenda if they want to.

MR. SCALI: The bottom of Page 3, Next G, from November 20, talking about the segment on Main Street within the leased Verizon conduit beginning at Verizon manhole to Verizon manhole at the intersection with Vassar Street, southwesterly along Vassar to Verizon manhole at Mass. Avenue, distance of 3,082 feet.

Good morning.

MR. JOVANOVIC: Good morning, Commissioner.

MR. SCALI: Just tell us your name.

MR. JOVANOVIC: My name is Kosta Jovanovic. The first name is K-O-S-T-A, the last name, J-O-V-A-N-O-V-I-C.

MR. ADAMS: My name is Tony Adams, and I'm the senior project manager for Next G Networks.

MR. JOVANOVIC: And I'm the local real estate manager for Next G.

MR. SCALI: This portion on Main Street, you still needed a lease on this?

MR. JOVANOVIC: Yes. We're still waiting for the license from Verizon.

MR. SCALI: So still no word?

MR. JOVANOVIC: That's correct. We request a continuance.

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

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MS. LINT: December?

MR. SCALI: December, yes.

MR. SCALI: The top of Page 4, from November 20, Next G with regards to Warren Street. Again -- let's see, I have to read it into the record so we have it all in.

Permission to install four teleduct conduits beginning at Pole 419 on Warren Street southerly to proposed manhole at the northwest corner of the intersection of Warren with Cambridge Street, 35 feet. Again, this was the same thing; right, lease?

MR. JOVANOVIC: I believe there's a typo in this agenda item; that what we're waiting for was MWRA permission on this instead of -- it doesn't involve a Verizon segment.

MR. SCALI: So MWRA, still waiting on that?

MR. JOVANOVIC: No. We have the approvals here.

MR. SCALI: Pass it around if you would.

MR. FERNANDES: You have permission to occupy those poles now on Warren Street?

MR. ADAMS: Yeah. Cambridge 5, I believe it was.

MR. SCALI: So we have the MWRA paperwork. Questions?

MR. FERNANDES: Is this just for the portion on Warren Street?

MR. JOVANOVIC: Yes.

MR. ADAMS: It's kind of all that the MWRA affected.

MR. FERNANDES: Cardinal Medeiros is approved; right?

MR. ADAMS: We have all the MWRA approvals we need because we've actually constructed this.

MR. DWYER: You haven't finished yet. But Cardinal Medeiros, they had MWRA approval already. They're waiting on Warren Street.

MR. FERNANDES: Are they doing a piece to marry them?

MR. DWYER: Yes. That's going to be incorporated in the same dig. We've discussed this at a couple of construction meetings. We talked

about scope of work.

MR. SCALI: So is this part of the moratorium then?

MR. DWYER: Yes, it is, but we had discussions on this so how for Next G to move ahead with Public Works.

MR. SCALI: They can do it now?

MR. DWYER: Yeah.

MR. SCALI: So you've already coordinated that?

MR. DWYER: Yes, we have.

MR. SCALI: Any other questions?

MR. FERNANDES: No.

MR. SCALI: Conditions? All right.

Motion to approve coordination of work with Public Works already in place.

MR. DWYER: Yes. The standard permit and SPOF regulations are in place.

MR. SCALI: So SPOF -- S-P-O-F is SPOF. What's it called?

MR. DWYER: Street Preservation Offset Fee.

MR. SCALI: Little by little, Anne will learn the terminology I'm sure.

MS. LINT: Can I have your copy?

MR. SCALI: Yes, you may. All right. So that's moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Aye.

From November 20, Next G, for permission to install four teleduct conduits beginning at pole on Vassar Street, four feet to proposed handhole, southerly to Memorial Drive, 425 feet. Conduit continues on DCR road to pole. You're were waiting on the DCR approval on this one.

MR. JOVANOVIC: Yes. We have the DCR approval.

MR. SCALI: You guys are working.

MR. JOVANOVIC: It's finally all coming together.

MR. SCALI: Finally everyone is agreeing. It only took two years; right?

MR. JOVANOVIC: So the DCR improvement only covers the DCR portion of the application.

MR. SCALI: You're responsible for repairs on light poles, replacing the light fixtures according to their conditions here.

MR. JOVANOVIC: Chairman Scali, if I may?

MR. SCALI: Yes.

MR. JOVANOVIC: We entered into a larger agreement with the DCR to use some of the street light poles in the DCR jurisdiction. They have included some language in each of the permits that cover the maintenance of the poles, and that's why you see that.

MR. SCALI: So this is an overall agreement on other poles besides this particular portion?

MR. JOVANOVIC: There is a larger agreement, a blanket agreement, so to speak. But they chose to include the boilerplate on all the permits that we're getting from them. It's just the way they do it.

MR. SCALI: Questions?

MR. DWYER: No. We're aware of it.

MR. SCALI: Mr. Fernandes, any issues?

MR. FERNANDES: Now the question is -- this is the same location that CCG is looking for.

MR. SCALI: On Vassar?

MR. FERNANDES: Yes. So they should do a combined trench.

MR. SCALI: CCG is looking to lease?

MR. DWYER: No, not around the bend. They're looking to excavate from the last pole.

MR. FERNANDES: They're rising on which pole?

MR. ADAMS: It's the same pole, Pole 73. We're both coming out of the Verizon there. We asked them if they wanted to share the trench, and we weren't really going the same way. They're going into the client right there, and we're going down to Memorial Drive.

MR. FERNANDES: You're going by it.

MR. ADAMS: We're going like this from that pole.

MR. FERNANDES: You're going right by it.

MR. ADAMS: Right by their dig?

MR. FERNANDES: Uh-huh.

MR. ADAMS: I'll check again with them on that, but I didn't think it was a coincident dig.

MR. FERNANDES: You're both going from

Pole 73; right?

MR. ADAMS: Yes.

MR. FERNANDES: And they're going to stop at this building here.

MR. ADAMS: To the extent that we can combine the excavation, we will do that provided they're ready.

MR. DWYER: You're going to have to.

MR. ADAMS: Yes, sir.

MR. FERNANDES: We just don't want to dig it twice. It doesn't make any sense.

MR. SCALI: Is CCG willing to cooperate with you on doing that? Or, did they say they don't want to cooperate with you?

MR. ADAMS: They will cooperate but they didn't think the engineering was the same.

MR. FERNANDES: They don't have a choice.

MR. DWYER: It's more economical if they do so.

MR. SCALI: If they're saying no, we don't want to do anything like that then -- and

we're saying yes, you have to.

MR. ADAMS: We're working with them on some other stuff.

MR. DWYER: Given the reps that CCG has, they've always worked like that in the past with other utility companies. I think they will.

MR. SCALI: All right. Any other questions?

MR. FERNANDES: I think we should continue this and see what happens with CCG.

MR. SCALI: I'm just curious as to what their reaction is to it. Because you're saying you're not going in the same direction but you're going by the building, but then they're going to curve off to their portion.

MR. ADAMS: They're going to a client right there and we're going down the street to Memorial Drive.

MR. FERNANDES: So it's a single trench and they drop-off where they drop-off.

MR. SCALI: And you just keep going.

MR. ADAMS: I think provided we agree

to the extent where they're the same, we'll agree now that we'll do the same trench. I don't think they'll have a problem with it from the discussions I've had with them about Vassar Street, which were pretty extensive.

MR. FERNANDES: They still need a lease to go on the pole.

MR. ADAMS: That is a funny situation. That's actually underground, Verizon, to that pole and then it's a leased Verizon conduit up the pole.

MR. FERNANDES: I don't know what they're doing. That's why I'm waiting.

MR. SCALI: So you want to see where they're going on the poles first, of course?

MR. FERNANDES: Yes.

MR. SCALI: Any questions?

MR. DWYER: No. We'll work with the coordination of it.

MR. SCALI: Do you still want to continue it?

MR. FERNANDES: Yeah. I still want to see what they're doing on there. I don't know what

they're doing.

MR. DWYER: CCG, you mean?

MR. FERNANDES: Uh-huh.

MR. SCALI: Do you want to continue theirs, too?

MR. FERNANDES: Yes.

MR. SCALI: So just coordinate with CCG. In the meantime, we'll continue.

Make a motion to continue to December Pole and Conduit to coordinate with CCG.

Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. JOVANOVIC: December is a long time away.

MR. SCALI: I'm sorry. Is it -- yeah, this is November. December is not that far away.

MR. FERNANDES: Next month.

MR. JOVANOVIC: As the winter season approaches, if we can come to an agreement with CCG in the next day or so, could we --

MR. FERNANDES: They don't have

permission to do what they're doing yet, from what I can see. I'm not even clear what they're doing.

MR. SCALI: They're still waiting on their Verizon leases.

MR. FERNANDES: It's all ready winter for you.

MR. DWYER: We'll work with everybody in due time.

MR. SCALI: So if it comes during the next month or so, will you still allow them to do it.

MR. DWYER: Depending on the -- well, the hardship letters we've already received from Next G.

MR. SCALI: Let's see how it goes in terms of what CCG gets in the next month. They may not get the leases in a timely fashion.

MR. ADAMS: We're willing to go at risk to put any pieces of stubs or whatever it might take for Verosity -- CCG, I guess they're going as now -- in order to move the project forward, but as Kosta was saying, we just didn't

want to get too many of these into the winter time.

MR. SCALI: And neither do we, actually.

MR. FERNANDES: You have a lot of work to do; this is not an issue.

MR. ADAMS: We have a lot of work?

MR. FERNANDES: And you know that and I know that.

MR. SCALI: You have enough to keep you busy, I guess, is what he's trying to say.

MR. ADAMS: The construction is moving almost to a close. The underground trenching is moving to where we're almost completely -- I'd venture 90 percent, so anything we can finish on that end would be good.

MR. SCALI: Let's see how this goes in the meantime.

MR. SCALI: Continue for the November 20, Next G, for installation of four teleduct conduits on Pole 7 on Albany Street, proceeding northeasterly to Main, easterly along Main to the intersection of Vassar, southerly to Verizon manhole a distance of 1,003 feet. This segment is necessary as Verizon conduit is not available.

This is the one you wanted to go and rent or lease, Verizon conduit, and now you're unable to.

MR. JOVANOVIC: Yes. We would request a continuance here.

MR. SCALI: You're still looking for the permit?

MR. JOVANOVIC: The CSX Railroad is a lengthy process.

MR. SCALI: Motion to continue --

MR. DWYER: Yes.

MR. SCALI: -- to December Pole and Conduit. You still need CSX permission.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: The bottom of Page 4, Next G for November 20. Installation of four teleduct conduits beginning at Pole 7 on Norfolk Street, southwesterly across Bishop Allen to Pole 3, 230 feet. This segment was formerly shown as aerial.

We were waiting on the MWRA permission. Do you have it?

MR. JOVANOVIC: I have an e-mail from the MWRA that was just issued on Friday. So the formal permit that we provided earlier, we don't have that paperwork yet, but we do have confirmation from them.

MR. SCALI: So this is just a confirmation by e-mail and then they send you the paperwork? How long does that usually take?

MR. JOVANOVIC: We should have it this month.

MR. SCALI: Another month?

MR. JOVANOVIC: Yes.

MR. DWYER: This was a really unique situation. Public Works actually -- because Gioso is doing the common manhole project out in the

exact same area. So to lessen the disturbance and inconvenience to the neighborhood we partied Gioso -- or Next G actually hired Gioso to install conduit to accommodate the project and the neighborhood and things. So we've moved ahead on this one.

MR. SCALI: You want it to go?

MR. DWYER: Public Works has moved ahead to get the street closed up.

MR. SCALI: Questions?

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

MR. SCALI: All right. Motion to approve.

MR. FERNANDES: Yes.

MR. SCALI: Conditions?

MR. DWYER: There's a mitigation agreement already been worked out with Public Works.

MR. SCALI: Subject to mitigation agreement with Public Works. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Aye.

MS. LINT: Can I have a copy of that?

MR. SCALI: The top of Page 5, from November 20. Temporary equipment with no connection. This is Next G for permission to install one utility pole, provide a fiber-optic connection and electric power for location 2e-11 at 1-5 Howard Street, wood utility pole, mount on the pole top.

We approved last time the temporary equipment with no connection to see if there was any objections by the neighborhood. How is that?

MR. ADAMS: We'd like to continue this one. We don't have that license just yet, the one that was pending.

MR. SCALI: The NStar?

MR. ADAMS: The NStar.

MR. SCALI: Did you put up the temporary equipment?

MR. ADAMS: Yes.

MR. SCALI: Do you know when you did that? I'm just wondering because no one has reacted to it.

MR. ADAMS: Just a few days after the

last one. It was November. I would say it would be the first week in November, if I ventured a guess.

MR. SCALI: It's been a few weeks.

MR. ADAMS: It was about a week after we got the okay.

MR. SCALI: So no reactions, Mrs. Lint, to that.

MS. LINT: Nothing.

MR. SCALI: Which is good news.

So motion to continue to December. We still need NStar lease. Temporary equipment has been installed, no reaction at this point in time. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. ADAMS: This is so much shorter now.

MR. SCALI: You never thought it would get to this point, did you?

Any other matters before us, Mrs. Lint? Any other questions, Commissioners?

MR. FERNANDES: No.

MR. DWYER: Fine right now.

MR. SCALI: Anything else for you
guys?

MR. ADAMS: I think that's it. That's
it for now.

MR. SCALI: Thank you very much.

While we're on the record, there was an e-mail with regard to the corner of Prospect and Houghton Street.

MR. FERNANDES: Houghton, Pole 70. I forwarded that to Phil Desrosiers, Verizon, remove pole.

MR. SCALI: For Verizon to move pole?

MR. FERNANDES: Remove it. It's a double pole.

MR. SCALI: So this matter has to do an e-mail with regard to a question by I guess it was a resident; am I correct?

MR. FERNANDES: Yes.

MR. SCALI: Lisa White, with regard to a pole that had been at the south corner of Prospect and Houghton Street, H-O-U-G-H-T-O-N, that was hit by a car, April 2003, and it had not been removed. Mr. Fernandes has submitted a request for Verizon to remove the pole, and we are awaiting that to happen.

MR. FERNANDES: Yes.

MR. SCALI: Any other matters?

Motion to adjourn. Moved, seconded.

All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

(Whereupon, the proceeding was
concluded.)

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 9th day of December, 2008.

Anne Ouellette
Notary Public
My Commission Expires:
March 16, 2012

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