

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
December 18, 2008
10:00 a.m.

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P R O C E E D I N G S

MS. LINT: Pole and Conduit
Commission Meeting, Thursday, December 18, 2008,
at 10:00 a.m. We're in the Michael J. Lombardi
Municipal Building, 831 Massachusetts Avenue,
Basement Conference Room. Before you are the
Commissioners: Chairman, Richard Scali, Bill
Dwyer, and George Fernandes.

MR. SCALI: Good morning, everybody.
Happy Holidays to everybody, ahead of time.

Let's skip down to the last two items
first if we could, because those we can take up
very quickly, on Page 7.

Disciplinary matter for failure to pay
Pole and Conduit Annual Maintenance Fee for 2008.
That's Ness Com (Marnia). Are they here?

MS. LINT: No.

MR. SCALI: Mrs. Lint, this is with
regard to our annual maintenance fees. The notice
went out, the bill went out to them previously I
see here in August. Is Ness Com still operating in

the City, do you know?

MR. FERNANDES: Yes.

MR. SCALI: Any contact with them?

MS. LINT: No.

MR. FERNANDES: There hasn't been recently, no.

MR. SCALI: And they do have conduit in the street; am I correct? They must have connections.

MR. FERNANDES: They are in with Level 3.

MR. SCALI: As is per our policy, if you do not pay your maintenance fee each year we have two options. Either we can cease the use of the conduit that's in the street already, and/or not allow any future applications to be approved by the City for conduits or poles.

Pleasure of the Commissioners?

MR. FERNANDES: I would say that we shouldn't let them do any future work, and I'm sure I'll get contacted sooner or later.

MR. DWYER: How many notices have we

sent out?

MS. LINT: There were quite a few and there was phone contact as well.

MR. SCALI: They were originally due in August so the bills went out in the summertime, and a follow-up phone call and letter in the fall, and then this recent letter on December 5. So they received three notices.

MR. DWYER: We can do that and in addition to that, maybe send out a sterner letter. Do that anyway.

MR. SCALI: Do you want to vote to let them know that we're not allowing any future applications?

MR. DWYER: Yes.

MR. FERNANDES: We've got three of these, by the way.

MR. SCALI: Actually there's applications. The other one is with regard to Global Naps. Is Global Naps here?

The third one has to do with AT&T.

MS. LINT: That one, I actually had

conversation with Mark Burkhart. He said that they felt that the fee was too high and he requested that I send them out the Pole and Conduit Policy and Procedure. I sent that to him and he was going to give it to their legal department. Then I never heard from them.

MR. SCALI: The fee has been that way since the policy was established many many years ago.

MR. FERNANDES: They were here when it was established.

MR. SCALI: Correct.

MR. FERNANDES: They commented, and so on and so forth.

MR. SCALI: I'll make a motion then with regard to these three: Ness Com, AT&T, and Global Naps; that no future applications will be heard or permitted before the Pole and Conduit Commission and that a stern letter go out telling them this. And if they wish to appeal, they should do so at our next Pole and Conduit meeting.

So that is moved. Do we have a

second?

MR. DWYER: Yes.

MR. SCALI: Seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Aye.

MR. SCALI: We'll go back to Page 1. From March 19, NStar update on Mass. Avenue at Hancock Street, 968 feet of conduit.

MS. DUFFY: That's the one we're going to continue until March.

MR. SCALI: That's right. I don't know why we put it on here.

MS. LINT: Tricia said she put it on so she doesn't forget.

MR. DWYER: Can I ask for a status update.

MS. DUFFY: I don't know, but I have to talk to Frank.

MR. DWYER: We need to get a set of those plans, whatever percentage he has completed as soon as we can.

MS. DUFFY: Okay.

MR. DWYER: With the work we have going on now and what we need to modify it in that project; that work is going to affect the stuff that we need to redesign.

MS. DUFFY: I'll have Frank get in

contact with you.

MR. DWYER: We need a set of those plans or some kind of a CD or something so we can look at it. Have him give it to our engineers as soon as you can. Thanks.

MR. SCALI: Continued until March 2009, need updated plans. Moved, seconded.
All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Continued to December 18, Comcast with regards to the pole being moved at 17 Highland Street.

MR. VATALARO: I think that's still undecided as to where the pole is going to go. We submitted an estimate to the homeowner and we haven't heard back.

MR. SCALI: No decision.

MR. VATALARO: There's no decision on their part as far as if they're going to go underground.

MR. SCALI: So you're just waiting? Nothing is happening at all?

MR. VATALARO: We haven't heard anything.

MR. SCALI: Do you want to keep it on the agenda?

MR. FERNANDES: I would expect to hear from them in January.

MR. SCALI: You do?

MR. FERNANDES: Yes.

MR. SCALI: Is that also on the NStar

portion, too?

MS. DUFFY: Yes.

MR. FERNANDES: Yes.

MR. SCALI: So on the second and third one we'll have a motion to continue to January Pole and Conduit. Moved; seconded?

MR. FERNANDES: Yes.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: All right.

MR. SCALI: At the bottom of Page 1, Fayerweather Street. Comcast was to work out the details for the conduit, 188 feet of conduit.

MR. VATALARO: This is 46?

MS. DUFFY: Yeah, 46.

MR. VATALARO: It's not One Reservoir; right?

MR. SCALI: It says Reservoir Street here.

MR. VATALARO: Okay, yeah. This is One Reservoir. I thought we were going to do the field survey as far as the riser poles go, because there's really no -- I know we're putting in two pipes. I know you guys are putting in two, and I don't think anyone is sure what Verizon is doing. So we don't know which poles we're rising up on.

Also, we're going to need to move a power supply in front of somebody else's house. So I just want everyone to be aware that there is going to be equipment moved to other locations.

MR. FERNANDES: Has this resident received a price on this yet?

MR. VATALARO: Yes, I believe so. Well, no actually, because we don't have the scope of work.

MR. FERNANDES: I think the utilities should meet on that and determine what they're going to do.

MR. SCALI: Do you want to somehow coordinate that meeting?

MR. FERNANDES: I do.

MR. SCALI: Mr. Fernandes will coordinate the meeting on this.

MR. SCALI: Motion to coordinate a meeting, and report back at the next Pole and Conduit. Moved. Seconded?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: The top of Page 2, NStar for Mount Auburn Street. Mount Auburn Street for 120 feet of conduit west of Eliot.

MS. DUFFY: The next two we're waiting on Verizon and Comcast.

MR. SCALI: You're still waiting on Verizon?

MR. VATALARO: This is the one, I think it's 114 and 112. We haven't heard back from the builders, property owners, as far as what they want from us. So I was unable to --

MR. SCALI: You couldn't get a plan.

MR. VATALARO: Right.

MR. SCALI: I guess we need to continue it again. That is continued to January Pole and Conduit. Waiting still on Verizon and Comcast. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: That's on the first and the second items.

MR. SCALI: New Application from NStar from Sidney Street, 280 feet of conduit, installing one manhole. Sidney at and southwesterly from Tudor, 31 feet of conduit.

MS. DUFFY: This is for MIT.

MR. SCALI: New service for MIT?

MS. DUFFY: Supposedly a lab is going in there.

MR. SCALI: Is it just NStar needed for that lab?

MS. DUFFY: I think so.

MR. SCALI: No Verizon or Comcast for that lab? Do you know?

MR. VATALARO: I haven't heard anything.

MR. FERNANDES: I shouldn't assume, but I may assume that Comcast and Verizon will go in overhead and the electric cannot.

MR. SCALI: Electric cannot?

MR. FERNANDES: Right.

MR. SCALI: So you think this will be okay?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Abutters are all MIT, I'm assuming? Are abutters all MIT? It looks like it according to the map here. It's all MIT buildings.

MS. DUFFY: Yes.

MS. BARROSO: Yes.

MR. FERNANDES: MIT and the City of Cambridge.

MS. DUFFY: U Corp it says. That's the only other one at 15 Tudor, but the rest are MIT.

MR. SCALI: Moratorium now.

MR. DWYER: They can't do it until after the moratorium is over and then follow the Public Works Standard Specs and the SPOF Regulations.

MR. SCALI: Any other conditions?

MR. FERNANDES: No.

MR. SCALI: Motion to approve subject to SPOF and the moratorium until the spring. Moved, seconded. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Aye.

MR. SCALI: New Application for NStar for Jay Street.

MS. DUFFY: We'll continue on that one. The customer is out of the country.

MR. SCALI: To January?

MS. DUFFY: Yes.

MR. SCALI: Continue to January Pole and Conduit. Moved, second. All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Yes.

MR. SCALI: The bottom of Page 2, NStar from Roberts Street, 216 feet north of Cambridge Street to property line, 125 feet of conduit on Roberts Street. This is for new --

MS. DUFFY: A pharmacy and a second-story dwelling.

MR. SCALI: The Harvard Health Plan?

MS. DUFFY: Skenderian.

MR. SCALI: Is he upgrading?

MR. SKENDERIAN: Yes.

MR. SCALI: Do you want to come forward?

MR. SKENDERIAN: Sure.

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

MR. SKENDERIAN: I'm Robert Skenderian.

MR. SCALI: Is this an upgrade to the building?

MR. SKENDERIAN: This is an upgrade to the whole building, exactly. We have maxed out our electrical capacity. We need to bring in new line.

After talking it over with my parents, they decided that it would be better to go and do the whole thing new, from the pole in.

MR. SCALI: Are you paying for all of the connections?

MR. SKENDERIAN: We are paying, yes.

MR. SCALI: Are you doing something else? Are you upgrading the whole building? Are you renovating the building?

MR. SKENDERIAN: What happened is when we renovated the building eight years ago, some structural issues arose. We had an engineer come in. The engineer came over and said basically the building is going to fall down. So my parents have spent a lot of money over the last year-and-a-half upgrading the infrastructure in the basement of the building. In the process of that it was discovered that there were some issues with the electrical service in that there was not enough power in the street coming into the building.

The long-range plans are that we may put a second-story on the building, we might not.

So we're taking some of that into consideration also as far as the sizing of the capacity of the electrical.

The problem is right now is there's like 15 amps difference between the street -- how ever the measure it -- between the street and what we actually use, and the lines do get a little hot.

MR. SCALI: Is this an emergency that has to be done right now?

MR. SKENDERIAN: No. Because we have gone and dealt with any of the problems in the building to make things safe, but it needs to be upgraded.

MR. SCALI: Doing it in the spring is not going to cause you any safety issues?

MR. SKENDERIAN: No, it is not.

MR. SCALI: Spring?

MR. DWYER: Yes, definitely.

MR. SCALI: Abutter notifications?

MS. DUFFY: We notified them.

MR. SKENDERIAN: They have all been sent out because I have been called.

MR. SCALI: People want to know what you're doing.

MR. SKENDERIAN: Exactly.

MR. SCALI: Has anyone objected?

MS. LINT: No.

MR. SCALI: No objections?

MR. SKENDERIAN: No.

MR. SCALI: I'm assuming this is SPOF and everything else.

MR. DWYER: Yes. The same as we had on item, two items ago. Moratorium is in place and the Public Works Specifications and SPOF Regulations.

MR. SKENDERIAN: Courtesy of NStar.

MR. DWYER: I wouldn't count on it.

MR. SKENDERIAN: I absolutely do.

MR. SCALI: They're going to take care of it all for you.

MR. SKENDERIAN: I think we're going to dig the hole.

MR. SCALI: Any other conditions?

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

MR. SCALI: Motion to approve subject to SPOF and the moratorium until spring. Moved. Seconded?

MR. DWYER: Yes.

MR. SCALI: All in favor?

MR. FERNANDES: Yes.

MR. SCALI: Aye.

MR. DWYER: Yes.

MR. SCALI: CCG Communications from last month. Vassar Street, 60 feet in public way to private property at 620 Memorial Drive. We were waiting on a plan. A new plan; right?

MS. GRAVALLESE: We actually last time I brought the new plan.

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

MS. GRAVALLESE: Raquel Gravallese. We actually did send in the new plan. I think that's the one you have in front of you there. I think the decision was to have a letter sent to the Commissioner, which has been sent out.

MR. SCALI: For it to be done now?

MR. DWYER: Yes.

MR. SCALI: Is that still in the works?

MR. DWYER: Have I seen it?

MR. HARRINGTON: It may be e-mailed.

MS. GRAVALLESE: I e-mailed it and sent it to Commission Peterson.

MR. SCALI: State your name for the

record.

MR. HARRINGTON: Jeff Harrington.

MS. GRAVALLESE: Would you like a copy of the letter?

MR. SCALI: It's up to Commissioner Peterson. It's not up to us. If she decides if she wants to let you do it, she'll let us know.

So that's still in the works and we'll have to wait until we hear from the Commissioner, and that may or may not happen.

MR. DWYER: We can move ahead with it and whether it happens next week, or it happens when it happens, the dig has got to take place.

MR. FERNANDES: Are we still waiting on Next G in this location, too?

MR. DWYER: I think Next G is all --

MR. FERNANDES: They're in?

MR. DWYER: To my knowledge, they're completed, yeah.

MR. SCALI: Any concerns, issues, conditions?

MR. DWYER: We'll work with the

protocol for the moratorium.

MR. SCALI: So it's just a moratorium issue?

MR. DWYER: Yes, and then Standards Specs and SPOF will apply.

MR. SCALI: Motion to approve subject to the moratorium and the letter to the Public Works Commissioner, whether it will be done beforehand or not, SPOF and Regs.

Moved. Seconded?

MR. DWYER: Yes.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Aye.

MR. SCALI: CCG Communications, trenching on Mass. Ave. from Next G hand hole to Level 3 manhole, 50 feet. This is a new application.

Why are you trenching here?

MR. HARRINGTON: Both this job and the next one -- we'll reference this job -- is we're providing service to Next G. We're providing them connectivity to fiber basically from our network. We understand that they've applied and obtained permission to trench from their manhole up to the Level 3 manhole, but they're not a member of the Level 3 system. So that's where we tie in. This is similar to where we have to pick up the last three feet, if you will. That's my assumption, so that we can own the last three feet in public way and attach into the Level 3 system which we are a member of.

MR. SCALI: Are they leasing from you; leasing conduit?

MR. HARRINGTON: No. They'll have their own conduit. It will almost be like a point

of demarcation, I guess. The way we were looking at it, we'll own the punch into the Level 3 manhole, and they'll own -- by going through Pole and Conduit -- their conduit in the public way.

MR. FERNANDES: We don't do that.

MR. HARRINGTON: I just didn't know how you did it so however you want it.

MR. SCALI: That's why I was confused.

MR. FERNANDES: You're not going to own three feet of conduit.

MR. HARRINGTON: Okay. The way I was trying to figure it out is how do I demark, because they can't I guess legally in Level 3's eyes punch into the system, because -- because remember how we came in?

MR. FERNANDES: You just go through the punch and they own the conduit.

MR. HARRINGTON: I just wanted to make sure that we came to you folks and let you know what was going on so that you didn't see us out there and go, why is CCG doing this, if Next G has the grant of location? At the end of the day, our

goal is to bring it to you.

MR. FERNANDES: Who owns the conduit going to it?

MR. HARRINGTON: Next G.

MR. FERNANDES: They have permission from Level 3 to enter that?

MR. HARRINGTON: No. Then it would have to be us that would own the conduit. That's kind of where I'm stuck.

MR. FERNANDES: One or the other owns the conduit.

MR. HARRINGTON: It would have to be us.

MR. FERNANDES: You'll own the whole thing.

MR. HARRINGTON: That's fine, and we can submit it that way. That's kind of what I was trying to find out how to deal with that because of that issue.

This came to us as basically the customer told us this is where our facilities are. Almost like a building, but it's not a building;

it's a conduit. Saying this is where our manhole is, we need to service them by giving them fiber. They can't legally punch into the Level 3 system. We are a member the Level 3 system. We're the only ones that can punch -- well, any member of the Level 3 can punch in. So that's how it was.

So I struggled with how to put this together. And at the same time, I wanted to make sure that CCG informed Cambridge Pole and Conduit, and did everything the way we're supposed to do it. That's what brought us to here today. So how ever you determine it, we'll do it.

MR. FERNANDES: It's the same as if it were Verizon or NStar, people can't punch the manhole but whoever is installing the conduit owns it. So in this case, if they can't install the conduit then you're going to have to install that conduit and own it.

MR. HARRINGTON: Then that's fine.

MR. SCALI: Could we stop back? I'm totally confused. This is a Level 3 conduit?

MR. FERNANDES: No.

MR. SCALI: You're in the Level 3 conduit?

MR. HARRINGTON: Correct, we are a member of the joint trench.

MR. SCALI: So Next G wants to get access to what you have?

MR. HARRINGTON: In order for us to provide them the services that they are requesting, we need to handoff fiber; that's our facilities. And our fiber is located in a Level 3 manhole. So that's how we have to handoff service to those folks.

MR. SCALI: So they're not leasing anything from you; they're not buying anything from you?

MR. HARRINGTON: They're buying service from us. They're leasing fiber from us.

MR. FERNANDES: They're leasing the fiber.

MR. SCALI: That was my original question. So they're leasing from you. There's a three-foot section that you don't have; is that

what it is?

MR. FERNANDES: They're not going to allow Next G to punch into the manhole because they don't have permission for access into a manhole. But they cannot own a piece of the conduit. When it's broken out there, I'm not interested in who owns how many feet. It's either you own the conduit or you.

MR. SCALI: So it will be CCG's.

MR. FERNANDES: It should be CCG's if that's the case.

MR. HARRINGTON: We'll just extend it further to their manhole.

MR. FERNANDES: You can own from there to the next connecting point, whatever that is.

MR. HARRINGTON: Right, right, whether it's a manhole or a riser, or whatever it is.

MR. SCALI: Are we extending the Level 3 conduit, three feet?

MR. FERNANDES: No. We're extending CCG's.

MR. HARRINGTON: We don't have the

right to extend Level 3. We're extending CCG's.

MR. SCALI: So three-foot is nothing to do with Level 3, the three feet?

MR. HARRINGTON: No.

MR. SCALI: It just would be yours?

MR. HARRINGTON: Right.

MR. SCALI: And Next G would be leasing that from your; that three feet?

MR. FERNANDES: Or that conduit.

MR. HARRINGTON: The conduit, right. Because the idea is that Level 3 won't recognize Next G because they're not a member of the JTP. So it's not like Next G can knock on Level 3's -- they could, but they'd have to buy a conduit and the whole ring, and they don't need that.

MR. DWYER: Is there excavation involved in this?

MR. HARRINGTON: Yes.

MR. DWYER: Where?

MR. HARRINGTON: On the first one that we're dealing with right now, which is Mass. Ave., it is at the corner of -- I'm sorry.

MS. GRAVALLESE: Mass. and Memorial.

MR. FERNANDES: I don't know how far this dig goes.

MS. GRAVALLESE: I don't believe that they've actually gone ahead and put the hand hole in yet.

MR. DWYER: I hope not because that's a newly paved street.

MR. HARRINGTON: I think this in the DCR area that's all been redone.

MR. DWYER: I'm looking at the manhole here; I'm not sure if it would be. Look at the photo you have.

MR. HARRINGTON: It's definitely in the new section.

MS. GRAVALLESE: It's up to them to get approval for the hand hole before we do anything.

MR. DWYER: I don't look lightly upon excavating Mass. Ave.

MR. HARRINGTON: And I agree. My whole thing is where does DCR fall into, too. At

the same time, this was kind of like -- we knew that this was going to be more of a fact-finding mission because of the whole thing with one provider to another provider in the street. I don't know exactly what they've already put in the street. So in fairness, what we've tried to do is put this together and sit as a group and figure out how you wanted us to move forward, and we'll amend it and get it done properly.

MR. DWYER: You might want to make it an existing conduit finding mission, as opposed to excavation and putting in new conduit.

MR. HARRINGTON: In that section.

MR. DWYER: Yes.

MR. FERNANDES: On this map, this is your manhole here?

MR. HARRINGTON: It's Level 3 lead and it's JTP -- but yeah, I guess it's ours.

MR. FERNANDES: Which conduit are you looking to run?

MR. HARRINGTON: We're looking to run the conduit out, the new one out.

MR. FERNANDES: From here out to Memorial Drive?

MR. HARRINGTON: Yes.

MS. GRAVALLESE: I don't believe they put in their hand hole yet.

MR. FERNANDES: Ad Next G is saying they have a hand hole over here?

MR. HARRINGTON: Next G has a proposal to place a hand hole over there, correct.

MR. SCALI: On private property.

MR. FERNANDES: How do they get conduit there?

MR. HARRINGTON: That I don't know.

MR. FERNANDES: I don't know either.
Continue.

MR. SCALI: It doesn't make sense to me because there's no connections.

MR. FERNANDES: It was explained to me but not in the terms that you're explaining it to me.

MR. HARRINGTON: That's the point of why we wanted to come, because at the end of the

day we want to make sure we're keeping everybody informed, but we want to do what's best.

MR. FERNANDES: Next G is here.

MR. SCALI: Do you want to explain what it is, Kosta? Do you want to come up?

MR. JOVANOVIK: Yes.

MR. SCALI: Have a seat, if you would. You have to state your name for the record now that we have a stenographer.

MR. JOVANOVIK: Kosta Jovanovich from Next G Networks. As Jeff explained, in order to make a crucial connection, CCG is going to provide us connectivity to a portion of fiber that's in the Level 3 system. So our goal is to get into it and then jump out of it, which is the next item on the agenda.

MR. SCALI: Where on here is the connection? I don't see any kind of conduit on here.

MR. SZCZEPANIK: I could show you.

MR. SCALI: Just tell us your name, please.

MR. SZCZEPANIK: My name is Piotr Szczepanik, P-I-O-T-R S-Z-C-Z-E-P-A-N-I-K.

MR. SCALI: Do you want to show us on here where we're connecting what to what? You're going to the manhole here?

MR. SZCZEPANIK: Yes.

MR. SCALI: How are we getting here to here?

MR. SZCZEPANIK: I don't think so you have correct the map.

MR. HARRINGTON: Just so you know that was referenced to our system on like a breakout, if you will, because we assumed that there would be conduit within three feet of the manhole. So that will change, obviously.

MR. SCALI: What three feet are you talking about?

MR. HARRINGTON: I'm just saying now we'll just forget about that. I'm saying that will change, I guess. The map is going o have to change on our side.

MR. SZCZEPANIK: That's the connection

between Level 3 and our system on Albany Street at the Pole No. 7. We'd like to make it to the Level 3 system and conduit connections.

MR. SCALI: So this is not right.
This plan is not right?

MR. HARRINGTON: That's not --

MS. GRAVALLESE: They're on Mass.
Ave., Memorial, that project.

MR. HARRINGTON: You want to be on the
next one.

MR. SZCZEPANIK: Okay.

MR. HARRINGTON: They're on Mass. Ave.
and Memorial Drive.

MR. SZCZEPANIK: Memorial, yes, yes.
Yes, this is correct. I'm sorry. I didn't see
first time correctly. We have another connection
on Mass. Ave. and Memorial from Level 3 manhole to
our hand hole. The hand hole will be -- let's me
see Memorial, Mass. Avenue. MIT is on this side?

MR. HARRINGTON: Yes.

MR. SZCZEPANIK: The hand hole will be
on the sidewalk, I believe. This is grass and the

sidewalk right here. That will be the exact location.

MR. SCALI: So there will be a trench from here to here.

MR. SZCZEPANIK: Yes. It will be 70 feet trench from Level 3 manhole to our hand hole.

MR. DWYER: Seventy feet?

MR. SZCZEPANIK: It's 70 feet, yeah.

MR. FERNANDES: Where do you go from this hand hole?

MR. SZCZEPANIK: From the hand hole we will go to the street light, which is going to be our node location.

MR. FERNANDES: It's a node?

MR. SZCZEPANIK: Yeah, it's a street light node.

MR. SCALI: So this plan doesn't reflect all that though. We need to see all of that on here.

MR. SZCZEPANIK: Yeah. We have an underground design with us. We'll show you a design plan.

MR. SCALI: It doesn't involve us unless we see it on the plan.

MR. FERNANDES: You have to submit a plan.

MR. SCALI: You need to start over on this. This is not right. So we need to do some more work on this.

MR. HARRINGTON: Basically as I understand it, the new plan that we'll submit will go from the Level 3 manhole to the hand hole in the grass.

MR. FERNANDES: Where ever the hand hole is. In other word, you're going to go from Level 3 to their hand hole, and you'll own that.

MR. HARRINGTON: Right. That's what you need to see from us.

MR. FERNANDES: Correct.

MR. HARRINGTON: And then what goes beyond that I would assume that's another submission that we'll work on with these folks so that you'll know. You're going to want to know where it's going, up the light pole and all that.

MR. FERNANDES: Yeah. We've got to show something in the record.

MR. SCALI: It doesn't show any connection at all.

MR. HARRINGTON: My goal is I didn't want to take ownership of someone else's conduit without talking to you. I didn't think it was fair to represent that we were taking their conduit when they placed it.

MR. FERNANDES: Then the question is, do you petition DCR for that conduit?

MR. HARRINGTON: We'll find that out. I can talk to Mr. Guidiboni and ask that question.

MR. SCALI: On this we're going to do a motion to continue for resubmission with a new plan, and a new description showing CCG as the applicant on the connection, the three-foot connection as well as to the light pole, et cetera, and DRC property, if needed, as well.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: That's on the two pieces?
Is that the next one too?

MR. HARRINGTON: The next one is a similar type job where it's not in the same location but it's going to be the same thing. We're going to have to give you a drawing first to own from the Level 3 manhole to the next.

MR. SCALI: So we're going to continue that one as well. It's the next one, which is CCG Communications on Albany Street from Next G manhole to Level 3 manhole, a total of 20 feet.

We're going to make a motion to continue that again, but submitting new plans. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. DWYER: Can I ask on the Albany Street one, it's excavation on Albany Street, not Mass. Ave.?

MR. HARRINGTON: That's correct.
Now, on that one that hand hole is all replaced.

MR. SZCZEPANIK: Yes, it is.

MR. SCALI: I don't see a plan on that one either.

MR. FERNANDES: Next G has a conduit going from Mass. Ave. down Albany Street.

MR. SZCZEPANIK: Yes, we do. This is already on Albany Street.

MR. DWYER: Not all the way from to Main though.

MR. FERNANDES: It goes to a pole.

MR. SZCZEPANIK: To the Pole No. 9.

MR. FERNANDES: Now they want to come out at Level 3 and cross connect to continue to Main Street.

MR. SZCZEPANIK: At that Pole No. 7, I believe will be closer.

MR. DWYER: On Albany?

MR. SZCZEPANIK: Yes, which we have already present conduit over there.

MR. HARRINGTON: We're at the corner of Albany. There's no sense in sharing this but it's right at the corner of Albany. There's an existing manhole right there.

MR. DWYER: That's right.

MR. FERNANDES: So we need a new plan on this.

MR. HARRINGTON: We're just going to break those conduits I believe and turn them in right there, so it's not extensive excavation.

MR. SCALI: So the next time we'll see all of that. Anything else, sir?

MR. HARRINGTON: No. Thank you very much.

MR. SCALI: Next item is Light Tower. He's here. From our last hearing, Forest Street and Roseland Street, you needed leases from Verizon and NStar and approval from Somerville.

MR. PARELLA: Correct.

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

MR. PARELLA: Chris Parella from Light Tower.

MR. SCALI: Mr. Parella, how did we do on the leases?

MR. PARELLA: It's actually licenses from the utilities. Good news and bad news. The bad news is the utilities, NStar and Verizon, are just now communicating with each other after six months of paperwork with them, which is fine. If you make it by the fall, it's good; if you don't then it will happen in the spring time.

They're communicating now to us that the pole survey has been completed and they're producing the make-ready report or the estimate of how much it will cost. Once we get that we'll pay

that, and they'll do the work, and we'll do our thing.

The good news is I do have my evidence of approval in Somerville, and I'm able to give the Commission that.

MR. SCALI: One piece.

MR. PARELLA: The order and the work has already been done.

MR. SCALI: The work is already done?

MR. PARELLA: Yeah.

MR. DWYER: I'm not sure if I'm being presumptuous here but when you do your make-ready work, will your company be doing that, overseeing it, or will it be an NStar, Verizon thing?

MR. PARELLA: They'll do the work.

MR. DWYER: They'll do the work.

MR. PARELLA: We'll pay them to do it.

MR. DWYER: They still need to get permits from electrical, I think.

MR. FERNANDES: The make-ready, they're going to do the work. Who's running your cable?

MR. PARELLA: We'll hire a firm to do that.

MR. FERNANDES: Separate companies.

MR. DWYER: I'm just visualizing trucks and confusion out there.

MR. FERNANDES: Make-ready depends on -- that's what we have to find out is what needs to be done. Whether there's cables that have to be moved or poles need to be changed.

MR. DWYER: We will receive some kind of a plan or report explaining what needs to get done, in case Public Works needs to oversee some part of it?

MR. PARELLA: Correct.

MR. DWYER: Not knowing exactly when that work will start there is an outside chance we could be doing some major storm water separation in that area late in the summertime. So we may have to coordinate that type of work. We don't want people up there when we're digging down there. That's an outside --

MR. SCALI: That's later on.

MR. DWYER: Yeah, that's later on.
That's why I wanted to ask George. Thank you.

MR. FERNANDES: Who's your customer
here?

MR. PARELLA: Sprint and Nextel.
They're at the final location which is 1815 Mass.
Ave.

MR. FERNANDES: On that building?

MR. PARELLA: Yeah.

MR. FERNANDES: It's an existing
location?

MR. PARELLA: Exactly. They've been
there for years. What they're doing in layman's
terms, they're effectively taking out their Verizon
connection and bringing in a fiber-optic
connection. And for business reasons they've
chosen us to do that.

MR. FERNANDES: That's fine.

MR. SCALI: We still need those
licenses from Verizon and NStar, so we'll have to
continue the matter. It looks like we do have your
Somerville piece. I haven't looked at the details

yet but we can look that over and see if that's correct.

You will also need coordination with the Public Works. Do you need to see a different plan, a new plan?

MR. DWYER: I think we'll be okay with whatever Mr. Fernandes receives.

MR. PARELLA: We'll make it part of the record that when I receive the make-ready report, I'll provide it to the Commission.

MR. DWYER: Sounds great.

MR. FERNANDES: One other thing, some of this is underground work?

MR. PARELLA: The Somerville portion of it was underground. Cambridge is all aerial, 13 poles.

MR. FERNANDES: So you're into that first pole on Forest Street? You go from Beacon Street. That's aerial on Beacon Street?

MR. PARELLA: We rise up on Beacon Street and we come down Forest, unless that little section --

MR. FERNANDES: Forest Street, I'm sorry, yeah. And that's probably underground from that pole on Beacon Street to the first pole on Forest.

MR. PARELLA: I believe we rise up on Beacon and then come across aerially.

MR. FERNANDES: Going to the building, you're going aerial?

MR. PARELLA: Exactly, in the manner in which the building is presently.

MR. SCALI: Motion to continue subject to the Verizon and NStar leases or licenses. We need coordination and the make-ready plans. We already have the Somerville piece. So that is moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. PARELLA: Thank you.

MR. SCALI: Thank you.

MR. SCALI: Next G for Main Street within Verizon conduit to Verizon manhole at the intersection of Vassar, along Vassar, 3082 feet. We were waiting on a lease still; right?

MR. JOVANOVIK: That's correct. I checked with our person that does Verizon licenses and this particular section is from what we call the rod, rope and slug stage. When we get those results back then --

MR. DWYER: We're speaking of this, this section of Vassar and Main Street?

MR. SCALI: Yes.

MR. DWYER: No excavation called for at all?

MR. JOVANOVIK: No. We'll break in and break out.

MR. SZCZEPANIK: Can I see the print.

MR. DWYER: Break in, break out; someone has got to dig a hole.

MR. SZCZEPANIK: We'll be only connection between Level 3 manhole and our manhole on Vassar.

MR. DWYER: You have a manhole on Vassar Street?

MR. SZCZEPANIK: We are going to apply for the license.

MR. SCALI: You haven't done that yet?

MR. SZCZEPANIK: Not yet.

MR. DWYER: So the conduit connection goes from the Level 3 manhole into your hand hole back into Level 3?

MR. SZCZEPANIK: No. From our system to the Level 3 we're going to set out our manhole to connect from our manhole to the Level 3 system.

MR. DWYER: And then?

MR. SZCZEPANIK: So we can use their network.

MR. FERNANDES: Where is this happening?

MR. DWYER: You lost me.

MR. SZCZEPANIK: On Vassar.

MR. HARRINGTON: Where are we talking about? I'm sorry.

MR. SCALI: Vassar and Main.

MR. JOVANOVIK: This is Verizon.

MR. SZCZEPANIK: I'm sorry.

MR. FERNANDES: This is all Verizon;
right?

MR. JOVANOVIK: That's all Verizon.

MR. FERNANDES: Main Street, down
Vassar to Mass. Ave., and this continues.

MR. SCALI: Where is Tony Adams, by
the way?

MR. JOVANOVIK: Our project director
is in the hospital, and Tony is our second in
command, so he's at the office. He couldn't come.

It comes down to manhole 37B.

MR. FERNANDES: Are you continuing
down Vassar Street?

MR. JOVANOVIK: Right.

MR. FERNANDES: No, the other way,
west towards Memorial Drive?

MR. JOVANOVIK: We go down towards
Memorial Drive, right.

MR. FERNANDES: That's the trouble
with doing these piecemeal. I can't follow it.

MR. JOVANOVIK: So we're coming down Vassar all the way down.

MR. FERNANDES: But you have conduit here, leased.

MR. JOVANOVIK: We're leasing, yeah.

MR. FERNANDES: From Verizon?

MR. JOVANOVIK: Right.

MR. FERNANDES: So it's going to be a continuation all the way down here. And this is Albany. So you're at this point here?

MR. JOVANOVIK: Uh-huh.

MR. FERNANDES: Now you're going to make this connection. And then you're back to telephone.

MR. JOVANOVIK: Yeah. We have to make this crossing also, and that's an application that's the next one above it.

MR. FERNANDES: We have to continue this because of this connection.

MR. JOVANOVIK: And it's still in rod, rope and slug, too.

MR. SCALI: We still have to wait.

Motion to continue?

MR. FERNANDES: Yes.

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

MR. FERNANDES: Yes.

MR. DWYER: Yes. I assume there is other work that you have to do other than just tie into the Verizon conduit at that location. Is that what you're going to show us next or upcoming?

MR. JOVANOVIK: Right.

MR. SCALI: On this piece, we're continuing because they're in the rod and rope stage.

MR. DWYER: I want to get a big picture of what is actually taken place here, not just piecemeal of we've got to tie this, and we're going to tie that, and then all of a sudden we're cornered into something. I want to see the whole picture.

MR. JOVANOVIK: We can arrange a meeting with you.

MR. DWYER: We can?

MR. JOVANOVIĆ: Yes.

MR. SCALI: In January maybe.

MR. DWYER: In January definitely,
because we'll be digging out all next week.

MR. SCALI: At the top of Page 4 on the Vassar Street portion, you're waiting on the DCR approval on that. Is that still --

MR. JOVANOVIK: We have the DCR approval.

MR. SCALI: That was four feet to proposed hand hole southerly to Memorial Drive, 425 feet, and then continuing on DCR road to pole.

MR. DWYER: That's not this one.

MR. FERNANDES: It's the far end of the direction they're going.

MR. JOVANOVIK: The description only picks up where the DCR jurisdiction begins.

MR. FERNANDES: Has this excavation been done?

MR. DWYER: Yes.

MR. SCALI: Is there anything else we need to do on this one?

MR. DWYER: I think we're done on this one.

MR. SCALI: This one was the last piece, just the DCR piece. Conditions?

MR. DWYER: Public Works standard specs and SPOF conditions, regulations.

MR. SCALI: Motion to approve subject to SPOF and specs. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Next G for Albany Street, northeasterly to Main, along Main to the intersection of Vassar, 1003 feet. This segment is necessary as Verizon conduit is not available. You're waiting on CSX permits on this particular one.

MR. JOVANOVIICH: That's correct. We'd ask that you continue.

MR. SCALI: You're still working on that.

MR. DWYER: Is this the one we're working on that you're talking about?

MR. SCALI: This one here. They don't have permission yet.

MR. DWYER: This is an excavation you want to make at some point. This whole dotted line, or just into the manhole?

MR. JOVANOVIICH: The whole dotted line.

MR. DWYER: Really.

MR. SCALI: The CSX portion is --

MR. FERNANDES: It's the hold up at

the moment.

MR. SCALI: Are you having an issue with the digging itself even with CSX?

MR. DWYER: There's a Level 3 conduit all in Albany and Main Street. It runs right down -- I remember Feeney put it in for a Level 3. It came down Albany Street, Main, and down Galileo, if I'm not mistaken; right, George?

MR. FERNANDES: Yes.

MR. DWYER: And you're going to run a conduit right next to their tank, and the tank was not easy to put in because they had to work with the T.

MR. SZCZEPANIK: Yes.

MR. JOVANOVIK: I think I'm hearing your suggestion.

MR. DWYER: If you're making a connection to Verizon, why can't you do the same with Level 3.

MR. JOVANOVIK: If CCG is going to help us out in one place, maybe they could help us out on this segment, too.

MR. FERNANDES: I thought Tony talked to me about this; that they were going to look into doing that.

MR. DWYER: There's no need to do excavation at Level 3.

MR. SCALI: You need to go back to the drawing board.

MR. JOVANOVIICH: And it sounds like we're going to withdraw this piece.

MR. DWYER: That's the whole point, there's available conduit. Why dig up the street if there's available conduit?

MR. FERNANDES: If he's in it and he's going to do the one on Memorial Drive, and he's going to do the one on Albany Street, he can do the one here too, I would assume.

MR. SCALI: So we're going to take this off the agenda so you can go and look for a Level 3 or work with CCG existing conduit.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Next G for permission to install equipment on one utility pole for 1 to 5 Howard Street, wood utility pole, pole top, location, 2E-11. You were waiting for an NStar lease on that pole. Got it?

MR. JOVANOVIK: We got it.

MR. SCALI: Pass it around to Elizabeth right here, if you would.

MR. SCALI: Is this the one that we put equipment on that we wanted to see what happened last time. Is this your equipment on there that's not connected?

MR. JOVANOVIK: It's been up for two months.

MR. SCALI: And we had no comments on that, that I recall.

MR. DWYER: Are you going to have to pull any cable from that node back to a manhole on Pleasant Street? I'm just curious. There's a line on this plan here. What does that represent?

MR. SZCZEPANIK: Which one?

MR. JOVANOVIK: 2E-11.

MR. DWYER: It would be an aerial.

MR. JOVANOVIICH: I believe it's
aerial.

MR. SCALI: All right.

MR. DWYER: It will be subject to
Electrical and Public Works permits as far as cable
pulling and boom trucks, or cranes, whatever you
may need.

MR. SCALI: Comments?

MR. FERNANDES: No.

MR. SCALI: Motion to approve subject
to Electrical and Public Works permits.

Moved, seconded.

MR. DWYER: Yes.

MR. SCALI: All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Aye.

MR. SCALI: At the top of Page 5, a new application for Next G. Permission to install one steel utility pole, provide fiber-optic connection and electrical power to the equipment. The existing NStar pole will be replaced with a new guy pole. Location 2E-05G, at the intersection of Main and Columbia, adjacent to 401 Main Street, steel utility pole top.

So you want to put in a new pole?

MR. JOVANOVIK: No. This item and the next four are what you might call the bottom of the barrel. These have been our problem locations, and we finally came to the point where we asked NStar if we could use guy poles rather than wood poles. And they said, "yes, that's included in your agreement." We licensed them, we license attachments on the guy poles the same way we would on wood utility poles.

MR. FERNANDES: So there's an existing guy pole here.

MR. JOVANOVIK: There is an existing guy pole here but it's short.

MR. FERNANDES: What are you going to change it to?

MR. JOVANOVIICH: We're going to ask to replace it with the 11-inch diameter, 22 foot.

MR. FERNANDES: I'd have to see it. I don't know which one you're talking about. Is that the one that's this big?

MR. JOVANOVIICH: No. The one at MIT on Vassar Street, that's large. It's not that big. It's the same diameter, it's just taller.

MR. SCALI: You're proposing to replace what's there and make it as tall as the pole that's right next to it?

MR. JOVANOVIICH: No.

MR. SCALI: I'm not understanding how big this is going to be.

MR. FERNANDES: This is an existing guy pole; it's metal. It attaches to a wood pole.

MR. JOVANOVIICH: I have a better picture.

MR. FERNANDES: And they're going to replace this and make it 22 feet instead of probably 18.

MR. SCALI: Taller than this?

MR. FERNANDES: No.

MR. SCALI: Just up to here?

MR. FERNANDES: Uh-huh. It gets them over this rooftop.

MR. SCALI: I see. And that's one of our city light poles?

MR. FERNANDES: Correct.

MR. SCALI: Which we can't let them use.

MR. DWYER: Where is this picture taken?

MR. JOVANOVIK: On Columbia Street towards Main.

MR. FERNANDES: You're looking at the Salvation Army in front of you.

MR. DWYER: Uh-huh. Oh, yeah.

MR. JOVANOVIK: The thought is that we're not adding more poles to the streetscape.

MR. SCALI: Just making it taller.

MR. JOVANOVIK: Yes.

MS. DUFFY: Yes.

MR. FERNANDES: That was a George idea.

MR. SCALI: You came up with that?

MR. FERNANDES: If they would let them do it.

MR. JOVANOVIK: We've had some correspondence with Mr. Boutin, Warren Boutin at NStar. He's our service rep, and they have no objection. I don't have the license yet.

MR. SCALI: You would replace the pole, make it a taller pole, and you would still lease from them that new pole.

MR. JOVANOVIK: We call them attachment fees, yes.

MR. FERNANDES: They attach to the guy pole, same as a wood pole.

MR. JOVANOVIK: Same as a wood pole except we're banding on.

MR. DWYER: Are you going to be able to put the new pole in the exact same location? That pole is going to be extracted?

MR. SZCZEPANIK: The same location.

MR. DWYER: You're going to be able to

put it in the exact same location.

MR. SZCZEPANIK: The exact same location, yeah.

MR. DWYER: Not even a foot left or right; in the exact same location?

MR. JOVANOVIK: Yes.

MR. DWYER: And still maintain the integrity.

MR. SZCZEPANIK: Right.

MR. FERNANDES: Which is what we normally do. If they change a pole, they put it back in the same spot.

MR. DWYER: If the pole is higher, you don't have to go any deeper?

MR. SZCZEPANIK: Yes, probably we'll go deeper because of the height.

MR. DWYER: Make sure we can with Dig Safe.

MR. SZCZEPANIK: We will Dig Safe everything.

MR. SCALI: Will you be okay with this, Mr. Fernandes?

MR. FERNANDES: Yeah. I just want to see a spec on the pole. You can e-mail it to me.

MR. SCALI: Meaning, it would be probably thicker?

MR. FERNANDES: I don't know. I want to see what they have. They have some enormous ones that I don't want. They're aware of that.

MR. JOVANOVIICH: And the feed will be aerial for both fiber and power coming from the next pole.

MR. SCALI: I guess that would solve a lot of their problems.

Pleasure of the Commissioners?

Objections? Permissions?

MR. DWYER: Standard permitting specs.

MR. SCALI: Specs and permits?

MR. DWYER: Yes.

MR. SCALI: If one of you could submit to Mr. Fernandes in terms of what that pole looks like, because I think we need to have that for the record as well.

Mr. Fernandes, if you object to what

it looks like I guess we have to start over again;
is that correct?

MR. FERNANDES: Yes.

MR. SCALI: And look at a different
pole.

MR. FERNANDES: Yeah.

MR. SCALI: Motion to approve subject
to specs and permits, and a copy of what that pole
will look like submitted to Mr. Fernandes and to
us. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. DWYER: Could I have a break here
for a moment.

MR. SCALI: We'll go off the record
for five minutes.

(Short recess taken.)

P R O C E E D I N G S R E S U M E D

MR. SCALI: Next G, New Application and permission to install one existing steel utility pole for location 2E-07E, at the MIT police station, 301 Vassar Street. This is the same situation?

MR. JOVANOVIK: This is the same situation again. In this case, we don't have to exchange the pole. The pole is suitable.

MR. SCALI: And is connected to Q. pole.

MR. FERNANDES: I think it's a new one.

MR. JOVANOVIK: Yes.

MR. SCALI: Is that what that big thick pole looks like that you were talking about?

MR. FERNANDES: Uh-huh.

MR. SCALI: That's a big chunky pole.

MR. FERNANDES: I think that's the one I don't want.

MR. JOVANOVIK: We won't get another one of those.

MR. FERNANDES: I don't care that it's at that location.

MR. SCALI: It's already there.

MR. FERNANDES: They're not using it also.

MR. SCALI: Any objections on this particular application? Comments?

MR. DWYER: That's a huge tree.

MR. SCALI: Motion to approve.

MR. FERNANDES: Seconded.

MR. SCALI: Moved, seconded.

All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MS. LINT: Any conditions?

MR. FERNANDES: It's an aerial feed.

MS. LINT: No?

MR. FERNANDES: No.

MR. SCALI: New Application for Next G for permission to install one existing utility pole, fiber-optic connection, and electrical power; 320 feet of underground conduit beginning at the intersection the Mass. Avenue and Bay Street across Franklin to a riser pole. Location 2E-14E, corner of Mass. Ave. and Bay Street. A controversial corner, I'm sure.

MR. FERNANDES: Didn't Green Street just get resurfaced?

MR. DWYER: Green Street is just all paved, some of Bay.

MR. JOVANOVIK: I have an update to the drawing. The one that was submitted was done prior to the field work. After we did the field work, we found that we could cross over Green Street aerially to a pole on the east side of Bay Street.

MR. SCALI: On the east side of Bay Street, okay. Is that what's in red right here?

MR. FERNANDES: Is it private property?

MR. JOVANOVIK: No. I thought we were going to have to rise down and go cross, but they can go to the next pole.

MR. FERNANDES: On the corner?

MR. JOVANOVIK: And come over this way. Then the plan is to trench up Bay Street to the corner.

MR. FERNANDES: What's the pole on the corner of Mass. Avenue four?

MR. JOVANOVIK: The pole on the corner of Mass. Avenue is going to be the guy pole.

MR. FERNANDES: Guy pole for what?

MR. JOVANOVIK: For node equipment.

MR. FERNANDES: No. You can't do that. Now you're going to put in guy poles that aren't a guy pole?

MR. JOVANOVIK: No. It's already there.

MR. FERNANDES: It is? I'll have it removed. It's not used.

MR. SCALI: Who put it there?
Obviously you didn't put it there.

MR. FERNANDES: I think in 1930.

MR. SCALI: Someone put it there in 1930?

MR. JOVANOVIK: It's existing and it follows the --

MR. FERNANDES: It's not in use.

MR. JOVANOVIK: It's used for street signs.

MR. FERNANDES: We don't want it.

MR. JOVANOVIK: We would ask for public safety that we would replace the poles.

MR. FERNANDES: No.

MR. JOVANOVIK: I mean, we'd put the signs back on the new pole.

MR. FERNANDES: No. We are not putting guy poles in the City of Cambridge for the sake of putting guy poles in the City of Cambridge. That is not a guy pole because it's not in use.

MR. SCALI: Why is it there then? It's not his fault.

MR. FERNANDES: Correct. It was never removed.

MR. SCALI: So someone took something down to go underground and left the pole there; is that what it is?

MR. FERNANDES: This piece of Bay Street was probably an aerial street; it's now underground and they never took the pole out.

MR. SCALI: They never took the pole down.

MR. FERNANDES: Probably when this building was built back in the '80s. Remember that?

MR. SCALI: You want to put equipment on there, too?

MR. SZCZEPANIK: We'd like to.

MR. FERNANDES: No.

MR. SCALI: On a guy pole that's not being used.

MR. FERNANDES: It's not a guy pole.

MR. JOVANOVIK: Before we hear your final answer on this, may I make a suggestion?

MR. FERNANDES: Uh-huh.

MR. JOVANOVIK: In keeping with the

concept of not adding more poles to the streetscape, in our arrangement with NStar on DCR property they are allowing us to exchange some street lights for our poles. So in another words, we're stepping into NStar's shoes, taking concrete poles out and putting steel poles in their place. And they're fine with it.

I would like to ask if there is an existing pole but it has no purpose, would you entertain us replacing that with a -- not a wood pole but something that would --

MR. FERNANDES: A streetlight.

MR. JOVANOVIICH: It could be a streetlight.

MR. FERNANDES: I don't want to.

MR. SCALI: Then it would be a City pole.

MR. FERNANDES: I'll explain it again. If you can do this, everyone can do this, and I am not adding poles in the City of Cambridge. The pole that's there now is actually junk because it does nothing. It just was never removed. It's not

a guy pole, it's not in use, it has no use. I could have it pulled tomorrow. And no, I don't want another streetlight there.

MR. SCALI: Is the issue that you can't get any kind of connections on Bay Street? Is that what it is; you're missing a node there?

MR. JOVANOVIK: Yeah. There are no wood poles.

MR. SCALI: There's nothing.

MR. SZCZEPANIK: Right. That's the option I thought we could use because it was existing something already in the ground.

MR. FERNANDES: I understand, but it's not existing because it's not a guy pole. It's something that was never removed and should have been.

MR. SZCZEPANIK: Yes, that's correct.

MR. SCALI: It's not your fault. You just presumed.

MR. FERNANDES: It's NStar's fault.

MR. SZCZEPANIK: And we will be not able to, for example, replace with a wood pole,

maybe?

MR. SCALI: The Commissioner here is saying, no, you can't replace it. He's proposing to take the pole out, meaning no pole there, anything at all there. If it's not being used for something then there is no need for it.

Back to the drawing board on that section it sounds like.

Do you have another proposal or any other ideas, Mr. Fernandes?

MR. FERNANDES: For that location?

MR. SCALI: No, not right now?

MR. FERNANDES: No.

MR. SCALI: All right. Let's go back to the drawing board on that one. I'm sure you'll find something else.

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

MR. DWYER: Yes.

MR. FERNANDES: Yes

MR. SCALI: At the top of Page 6, New Application for Next G. Permission to install one steel utility pole, provide fiber-optic connection and electric power at 2E-19H, intersection of Cambridge and Prescott Streets. Another guy pole?

MR. JOVANOVIK: Yes, it is.

MR. SCALI: Is this one being used, Mr. Fernandes?

MR. FERNANDES: I believe this one is there and it is being used.

MR. SCALI: It looks like it's leaning over for some reason.

MR. FERNANDES: It's under stress; it's doing its job.

MR. SCALI: The corner of Prescott and Cambridge Streets, pole top. Is this an issue? No excavation?

MR. JOVANOVIK: There is some excavation where we would be coming out of Verizon conduit and going up Prescott Street.

MR. SCALI: Is that what that whole thing is right there?

MR. JOVANOVIK: Yes. That's the red portion.

MR. SCALI: So you'll have to excavate all up Prescott Street?

MR. FERNANDES: Well, you have to ask for that.

MR. SCALI: It's not on here.

MR. DWYER: The whole distance of Prescott here into Broadway?

MR. JOVANOVIK: No.

MR. DWYER: It's says new conduit.

MR. SZCZEPANIK: From Broadway to Prescott, on Prescott.

MR. SCALI: You need to apply for that.

MR. SZCZEPANIK: Yes, we will.

MR. SCALI: Assuming that Mr. Dwyer wants you to dig up Prescott Street.

MR. DWYER: Again.

MR. FERNANDES: Is it existing conduit or new conduit?

MR. JOVANOVIK: It's existing conduit

on Broadway.

MR. FERNANDES: But not on Prescott?

MR. SZCZEPANIK: No. We don't have a conduit system on Prescott.

MR. DWYER: Would Harvard have anything on Prescott?

MR. SCALI: There might be.

MR. DWYER: Can we check with Mark O'Brien?

MR. SCALI: Mark O'Brien from Harvard.

MR. DWYER: Maybe it's something that -- it just seems like they've been down there in the last 10 years quite often. Maybe not, but maybe they might.

MR. SCALI: You want to go back and take a look at that?

MR. JOVANOVIK: It would be --

MR. SCALI: You haven't applied for that portion anyway, so we have to continue it just to see if maybe you can find a Harvard conduit there.

MR. JOVANOVIK: I don't know if they

would have a hand hole or a break out in the middle of the street.

MR. FERNANDES: For some reason, I think they went to this building here.

MR. DWYER: From Broadway?

MR. FERNANDES: From Cambridge Street I think. I'm not sure.

MR. DWYER: I know they did that too. Going back a few years, I thought they did some other stuff too, when they were doing the --

MR. FERNANDES: The house over here.

MR. DWYER: The house or that building, whatever that was. It had a few initials to it; I forget. CGIS or something like that. They did some work down there. They did a lot of work on Prescott.

MR. FERNANDES: But Verizon is not showing anything going down there.

MR. JOVANOVIK: Because this came very late, we didn't apply.

MR. SCALI: So you still could go back and ask Verizon, too.

MR. JOVANOVIĆ: Okay.

MR. FERNANDES: I'll check that.

MR. SCALI: Motion then to continue to check to see if they have Verizon or Harvard conduit to lease, or applying for excavation if you don't succeed.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Next G, again. New Application to install one steel utility pole, and fiber optic connection and electric power to the equipment. Fiber pathway consists of 330 feet of new conduit along Main Street connecting to the Verizon manhole 26/88, location 2E-28I, intersection of Wadsworth and Main Streets.

Existing guy pole, okay.

MR. JOVANOVIICH: Existing guy pole, but it doesn't provide all the coverage that we need so this really is connected with the final item on the agenda today for Next G. We need to supplement with one additional load location, and it's going to be on a wooden pole. Bringing the fiber to these two, we had it engineered as one drawing, so it does involve some excavation.

MR. SCALI: So 330 feet of new conduit on Main Street.

MR. DWYER: Main Street. Fairly new -- I'm not sure of the dates but it's newly paved.

MR. JOVANOVIICH: I do have an update with the final engineering drawings.

MR. SCALI: It's going to be a problem.

MR. JOVANOVIK: It's going to be a problem?

MR. SCALI: Yes. It's a new street. Nothing there to lease on Main Street?

MR. DWYER: They come down Broadway at that point, I think. They split and went down the Broadway side. There may not be anything.

MR. SCALI: Nothing to lease there at all?

MR. JOVANOVIK: Here is the intersection of Main and Broadway where they come together. We have the manhole there coming along Main Street to Wadsworth.

MR. SCALI: It's not going to happen, Mr. Dwyer?

MR. DWYER: I'm just thinking about what to do. The development out there from MIT on the corner of Wadsworth and Main, I think traffic is requiring them to do some mitigation as far as the island, the pavement and the island redesigned,

a reconfiguration. So that could maybe open up a window of opportunity.

MR. SCALI: In the island?

MR. DWYER: Well, in that area, because they would most likely be required to pave maybe back to Wadsworth, because Wadsworth they're doing a lot of work on right now.

MR. JOVANOVIICH: I saw that they were putting gas in there.

MR. DWYER: They're putting all kinds of utilities in Wadsworth, and new stone work, and conduit. So maybe there is an opportunity here to do something.

MR. SCALI: But it's not happening right now.

MR. DWYER: It's not going to happen this time of year, no.

MR. SCALI: In the spring maybe, or something later on. You want to coordinate something and we'll take a look at it and see, and you can report back next time.

MR. DWYER: Yeah, maybe you should

look at -- maybe contact Jeya on this one, Jeya Niranjian from Public Works.

MR. SCALI: So they're all connected, these two? The last two are connected to the same?

MR. JOVANOVIK: Yes.

MR. SCALI: The one with regards to Carleton and Amherst Streets.

MR. JOVANOVIK: And Amherst, yes.

MR. FERNANDES: Bill, is Carleton ours?

MR. DWYER: Carleton, no; that's theirs.

MR. FERNANDES: MIT; right?

MR. DWYER: Yes.

MR. FERNANDES: Hayward is ours.

MR. DWYER: Yes.

MR. SCALI: Motion then on the Wadsworth and Main Street application to continue to coordinate with Public Works to see if there are other projects or other locations that might be available in that section. Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. FERNANDES: Yes.

MR. SCALI: Do you want them to take a look at Carleton and Amherst separately?

MR. DWYER: They just need to coordinate that with -- there's going to be extensive work by MIT out there as far as roadway reconstruction. So that needs to be coordinated.

MR. FERNANDES: Near Carleton and Amherst?

MR. DWYER: Down Amherst to Ames.

MR. FERNANDES: I'm not sure that this pole is going to be there.

MR. DWYER: I'm not seeing the whole plan here. Oh, I see, Carleton.

MR. SCALI: Let me just announce this one. This is actually again, permission to install one wooden utility pole, provide fiber-optic connection, electrical power. Pathway consists of 1,000 feet of both aerial attachments and underground conduit along Wadsworth and Amherst Street connecting with Next G node, 2E-28I for 2E-36. Pole location at the intersection of Carleton and Amherst Streets.

All right. Mr. Dwyer, you were saying that you weren't sure that --

MR. DWYER: What's the question? Because the excavation is going to take place on Amherst.

MR. FERNANDES: That would be an aerial feed on Amherst; am I right?

MR. DWYER: Okay. Is there any -- as far as I'm aware, there's not going to be any work that we're looking at to Carleton on Hayward, it's on Amherst between Ames.

MR. FERNANDES: I'm just thinking of how to eliminate the excavation.

MR. DWYER: I see. I follow.

MR. FERNANDES: This node you're going to?

MR. JOVANOVIICH: Yes.

MR. FERNANDES: I can't tell after looking at this how many poles that is, because there's wood poles here that are coming out. I don't know how many. I think two, maybe three. I don't know where that pole is in reference to

that.

MR. JOVANOVIICH: I think we'll take them, and if they go down, then they'll go down, but at least we'll have them.

MR. FERNANDES: It will be soon, probably before you put it up, it will be gone. There's a possibility. That's in front of that new building that they're building; am I right?

MR. JOVANOVIICH: Yes.

MR. FERNANDES: Or near it.

MR. SCALI: You're getting rid of those poles, you're saying?

MR. FERNANDES: Going to, yeah.

MR. SCALI: There may not be any hole there.

MR. FERNANDES: What I'm trying to see is if just in my mind, is there a way for you to get onto Amherst Street and go aerial back to the pole you want on Wadsworth, with Verizon?

MR. JOVANOVIICH: With Verizon.

MR. FERNANDES: You're looking to make a Verizon connection on Main Street.

MR. JOVANOVIICH: Main Street, right.

MR. FERNANDES: I'm looking to see if you can reverse it and do it from Carleton Street.

MR. JOVANOVIICH: I've got you.

MR. FERNANDES: I don't know. You'd have to see if there's any existing conduit out there; there or Hayward Street.

MR. DWYER: Hayward actually is -- the sidewalks and the utilities are MIT's.

MR. FERNANDES: I think they have their own signs up there.

MR. DWYER: And Hayward's there, so other than paving and maintenance.

MR. SCALI: We'll take a look at this again?

MR. FERNANDES: Yes.

MR. SCALI: We're going to then make a motion to continue this matter subject to looking for an existing conduit from Carleton or Hayward, and to work with Mr. Fernandes to see if perhaps there's another pathway. Moved.

MR. FERNANDES: Seconded.

MR. SCALI: All in favor?

MR. FERNANDES: Yes.

MR. DWYER: Yes.

MR. SCALI: Did you understand that?

MR. JOVANOVIK: Continued, yes.

MR. SCALI: Yes, continued.

Continued, continued, continued. Obviously, they're your last piece of the pie that you're having trouble with all along.

MR. JOVANOVIK: It's so frustrating.

MR. SCALI: Any other matters?

MR. FERNANDES: No.

MR. SCALI: Mrs. Lint, are you all set?

MS. LINT: I'm all set.

MR. SCALI: Motion then to adjourn.

Moved, seconded. All in favor?

MR. DWYER: Yes.

MR. SCALI: Aye.

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 5th day of January, 2009.

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