

HOUSE No. 3487

The Commonwealth of Massachusetts

PRESENTED BY:

Carole A. Fiola

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a special commission to investigate double utility poles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/16/2025</i>
<i>Homar Gómez</i>	<i>2nd Hampshire</i>	<i>3/10/2025</i>
<i>John J. Marsi</i>	<i>6th Worcester</i>	<i>3/20/2025</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/6/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>1/25/2025</i>

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By Representative Fiola of Fall River, a petition (accompanied by bill, House, No. 3487) of Carole A. Fiola and others for legislation to establish a special commission (including members of the General Court) to investigate double utility poles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing a special commission to investigate double utility poles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, there shall be a
2 special commission to investigate and study the use of so-called double poles. The commission
3 shall consider identifying how many double poles exist and the length of time each has been in
4 place, the reason why such double poles have been in place for such time, and the process and
5 timeline by which existing utility poles are removed following the transfer of attached services to
6 a new pole. The commission shall also consider and may make recommendations on how best to
7 enforce the provisions of Section 34B of Chapter 164 of the General Laws concerning the timely
8 removal of double poles, investigate whether the current timeline for removing such poles is
9 reasonable and adequate, investigate how to address barriers to remove such poles, investigate
10 increasing utilization, improving functionality of attachment management systems (e.g., the
11 National Joint Utilities Notification System (NJUNS), and identifying solutions to resolve
12 communication issues among all parties, unlicensed attachments on utility poles and

13 requirements that providers promptly register such attachments, the legal liability and potential
14 use of indemnification agreements to facilitate the removal of abandoned attachments, whether
15 or not certain costs may be recovered from ratepayers, and the promulgation of regulations by
16 the Department of Public Utilities and Department of Telecommunications and Cable to
17 effectively regulate double utility poles.

18 The commission shall consist of 17 members: 1 of whom shall be the secretary of
19 administration and finance, or the secretary's designee; 1 of whom shall be the chair of the
20 department of public utilities, or the chair's designee; 1 of whom shall be the commissioner of
21 the department of telecommunications and cable, or the commissioner's designee; 1 of whom
22 shall be a representative of a municipal light board of commissioners or their designee; the house
23 and senate chairs of the joint committee on municipalities and regional government; 2 members
24 of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members
25 of the senate, 1 of whom shall be appointed by the minority leader; 3 municipal officials selected
26 by the governor, 1 utility pole owner; 1 utility pole attacher; the executive director of the
27 Massachusetts Municipal Association or their designee; and 1 private citizen, appointed by the
28 governor, who shall serve as chair of the commission and shall not be an employee of any
29 electric or telecommunications utility operating in the commonwealth.

30 The commission shall file a report of its recommendations and proposed legislation, if
31 any, with the clerks of the house and senate, the chairs of the house and senate committee on
32 ways and means and the chairs of the joint committee on municipalities and regional government
33 not later than June 30, 2026.