

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3458

TITLE: An Act relative to double poles

SPONSOR: Representative Tackey Chan

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: June 4, 2025

PRIOR HISTORY: 2023-2024: H.3152 heard by committee; accompanied a study order, see H.4778.

2021-2022: H.3270 heard by committee; accompanied a study order H.5042.

2019-2020: H.2821 heard by committee; accompanied a study order, see H.4405.

2017-2018: H.1730 heard by committee; accompanied a study order, see H.4651.

2015-2016: H.2856 accompanied a study order, H.4324.

2013-2014: H.2921 accompanied a new draft, H.2945; reported favorably by committee, referred to House Ways and Means; no further action taken.

2011-2012: H.2609 accompanied a new draft, H.4177; reported favorably by committee; referred to House Ways and Means; no further action taken.

CURRENT LAW:

Chapter 164, Section 34B pertains to the removal or installation of utility poles by distribution companies or telephone companies. It requires companies switching out an existing utility pole with a new replacement to complete the transfer of wires, all repairs, and the removal of the existing pole from the site within 90 days from the date of installation of the new pole. There exists an exception for approved commercial or industrial construction projects lasting more than one year. Under such circumstances, the company is required to remove the existing pole within six months from the date of installation of the new pole.

SUMMARY:

This bill amends Section 34B to require distribution or telephone companies engaging in the replacement of poles to complete the transfer of wires, all repairs and the removal of the existing poles within 180 days. After the expiration of this 180 day period, distribution or telephone companies shall pay a fine of \$10 per day for the next 30 days to the municipality where the pole is located. This fine increases to \$20 per day for the 30 days thereafter, \$30 per day for the 305 days thereafter, and \$100 per day thereafter until the original pole is removed.

In the event of approved commercial or industrial construction projects that are expected to take longer than 1 year, a company shall remove an existing pole within 12 months. The owner of such poles must notify all other users of the removal of a pole 72 hours in advance. Owners may impose a fine on any user that has not removed their wiring and other attachments that results in the delay of the pole's removal. No fine shall be issued if a delay is the result of the failure of a city or town to remove its police or fire alarm circuits or similar equipment.

The department of public utilities, in consultation with the department of telecommunications and cable, shall adopt regulations no later than January 1, 2027 to implement this section.