



PETITION PURSUANT TO RSA 231:163
FOR CHANGES IN POLE AND CONDUIT LICENSES
ISSUED UNDER THE AUTHORITY OF THE
BOARD OF SELECTMEN OF THE
TOWN OF ALLENSTOWN

Allenstown, New Hampshire

Dated: November 14, 2013

TO THE BOARD OF SELECTMEN, TOWN OF ALLENSTOWN, NEW HAMPSHIRE:

The undersigned, in her capacity as Tax Payer of the Town of Allenstown, New Hampshire, and a resident of Allenstown, New Hampshire, being a person whose rights and/or interests in such capacity are affected by all existing and outstanding so-called pole or conduit Licenses, issued pursuant to RSA 231:161, under the authority of the Board of Selectmen of the Town of Allenstown, hereby petitions the Board of Selectmen of the Town of Allenstown, acting pursuant to authority conferred upon the said Board of Selectmen of the Town of Allenstown by virtue of the provisions of RSA 231:163, to adopt the following changes to all currently issued and outstanding pole or conduit Licenses heretofore issued by or under the authority of the Board of Selectmen of the Town of Allenstown or by their predecessors in office, including, but not limited to, all Licenses currently in effect by Orders of the Board of Selectmen or pursuant to all Petitions filed pursuant to RSA 231:161 with the Town of Allenstown, by adding the following language to all such pole and conduit licenses, based on the law of New Hampshire, which recognizes that the public good is satisfied if such licensees are assessed real and personal property tax for their use of the public right of ways for their poles or conduits, to wit:

“In accordance with the requirements of RSA 72:23, I(b), this License is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity now or hereafter using or occupying municipal property pursuant to this License, either as the joint or sole owner of a pole or conduit or as an attacher to, or in, such pole or conduit, shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes to the extent permitted by law, no later than the due date. Failure to pay duly assessed personal and real property taxes when due shall be cause to provide a written notice to the licensed entities to show cause by a date certain specified in the notice as to why this License should not be terminated for non-payment of the sums due.

In accordance with the requirements of RSA 72:23, I(b), this License is granted to the licensee(s) subject to that condition that the licensee(s) and any other entity now or hereafter losing or occupying municipal property pursuant to this License

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By Kathleen Key

shall be responsible for notifying, within 90 days of the date of this amendment, each attacher to a licensee's pole(s) and/or licensee's conduits by serving a copy of the herewith Petition on each such attacher and submitting to the clerk of the Town of Allenstown, a complete list of attachers to each pole or conduit in the Town, listing the pole or conduit locations of each attacher. Further, this License's granted subject to the condition that the Licensee(s) and any other person now or hereafter using or occupying municipal property pursuant to this License shall update annually the information provided to the Town with the Town Clerk on or before May 1st of that year, including the location of any additional attachers including the location of the pole(s) or conduit(s) to which the attachers' facilities are attached, any attachers that have removed their attachments and/or added new attachments.

In accordance with RSA 231:161, the changes to the within License set forth in the preceding paragraph shall take effect December 9, 2013 and shall remain in effect until changed in accordance with the requirements of RSA 231:163."

The holders of all currently issued and outstanding Licenses include, but are not limited to, the following:

Fairpoint and Comcast, and all successors and assigns

Public Service of NH, NH Electric Coop., Until, and all successors and assigns

Diane M. Demers

11/14/2013

Name: Diane M. Demers
Town of Allenstown, NH

Date