



June 4, 2025

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www.abcwua.org

Catherine Nicolaou
Allison Eye
City of Albuquerque Broadband Program
1 Civic Plaza NW
Albuquerque, NM 87102

**RE: Comments on the Proposed Regulations Governing Public Right-of-Way
Excavation and Barricading for Fiber Infrastructure Purposes**

City of Albuquerque Broadband Program,

This letter is in response to the Proposed Regulations Governing Public Right-of-Way Excavation and Barricading for Fiber Infrastructure Purposes. The Water Authority has the following comments on the proposed regulation.

1. As the provider for water for the City of Albuquerque, the Water Authority is requesting that a section be added related to "Construction Water." The following language could be included, *"For Construction Water from Fire Hydrants, the contractor shall obtain a fire hydrant permit and meter from the Water Authority Customer Service. The contractor shall be required to comply with the conditions of service and will be charged a base fee plus water consumption each month. Contractors are strictly prohibited to utilize fire hydrants without a permit, an approved Water Authority issued meter, and an approved backflow prevention method."* The Water Authority has experienced an increase in stolen fire hydrant meters and our staff have observed fiber optic contractors using fire hydrants without a meter. Unauthorized use of a fire hydrant meter or fire hydrant constitutes Water Theft and/or Tampering which is a criminal offense with a penalty of up to \$500.00 and/or 90 days in jail.
2. In the City of Albuquerque, the water service line is the responsibility of the customer from the back side of the water meter into the property. The sewer service lateral is the responsibility of the customer to the point of the connection at the sewer main. The Water Authority recommends that the contractors provide more than 48 hours' notice (as listed in Section 5 Notice and Timing of Construction and New Mexico Excavation Law) to the residents prior to excavation, micro trenching, or boring so that they have sufficient time