

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



June 29, 2009

Susie Evans
Charter Communication
5797 Eastside Road
Redding, CA 96001

SUBJECT: General Order 95 and 128 Audit of Charter Communications, GL ID 65203

Dear Ms. Evans-Wood:

On behalf of the Utilities Safety and Reliability Branch of the California Public Utilities Commission, Ryan Yamamoto and I conducted an audit of Charter Communications, GL ID 65203 from June 8 – 12, 2009. The audit included a review of Charter Communications maintenance programs for compliance with General Orders (GO) 95 and 128.

GO 95, Rule 31.2 Inspection of Lines states:

"Lines shall be inspected frequently and thoroughly for the purpose of insuring that they are in good condition so as to conform with these rules. Lines temporarily out of service shall be inspected and maintained in such condition as not to create a hazard."

We found that Charter Communications does not frequently and thoroughly inspect its overhead system for the purpose of ensuring that it is in good condition so as to conform with GO 95.

GO 128, Rule 17.2 Inspection of Lines states:

"Systems shall be inspected by the operator frequently and thoroughly for the purpose of insuring that they are in good condition and in conformance with all applicable requirements these rules."

We found that Charter Communications does not frequently and thoroughly inspect its underground system for the purpose of ensuring that it is in good condition so as to conform with GO 128.

Also, Charter Communications did not document all GOs 95 and 128 violations when it inspected its facilities. A copy of the inspection summary itemizing the field violations is enclosed. Please advise me no later than July 29, 2009, by electronic or hard copy of all corrective measures taken, or planned to be taken by Charter Communications regarding the violations and the date they were or will be corrected.

If you have any questions, please contact me at (213) 576-6850.

Sincerely,

Derek Fong
Utilities Engineer
Utilities Safety and Reliability Branch
Consumer Protection and Safety Division

Enclosure: Audit Summary

Cc: Gerald R. Anstine
VP of Engineering
Charter Communications – West Division
4031 Via Oro Avenue
Long Beach, CA 90810

AUDIT SUMMARY

Company: Charter Communications (CC), GL ID 65203
GO 95 & 128 Audit
Date: June 8 – 12, 2009

The following violations were observed:

1. 851 E. Belleview Ave., Porterville

While verifying recently inspected facilities at "871 E. Belleview Ave., Porterville" we discovered the following violation at the above listed neighboring location. The violation was not noted by CC staff on June 03, 2009, while they were inspecting the facilities at "871 E. Belleview Ave., Porterville".

GO 128, Rule 17.1: Design, Construction, and Maintenance

"Electrical supply and communication systems shall be designed, constructed, and maintained for their intended use, regard being given to the conditions under which they are to be operated, to enable the furnishing of safe, proper, and adequate service".

A pedestal was found with its cover not secured or locked.

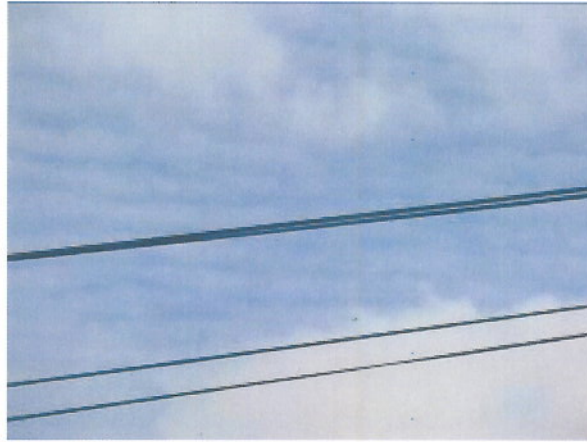
2. 1195 N. Highland Dr., Porterville
Pole 1957718E

While verifying recently inspected facilities at the above address we discovered the following violation. The violation was not noted by CC staff on June 01, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 1.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

The cable and phone conductors shown in Picture 1 have less than 12 inches separation.



Picture 1

1195 N. Highland Dr., Porterville

**3. 959 Lime St., Porterville
Pole 4326501E**

While verifying recently inspected facilities at the above address we discovered the following violation. The violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 2.

GO 95, Rule 87.7D(1): Covering or Guarding – Risers

“Risers shall be protected from the ground level to a level not less than 8 feet above the ground by...”

There is a broken riser.



Picture 2
959 Lime St., Porterville

**4. Across the street from “1018 Lime St., Porterville”
Pole 4214499E**

While verifying recently inspected facilities at the above address we discovered the following violation. The violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. Pictures of the violation can be seen in Picture 3 and Picture 4.

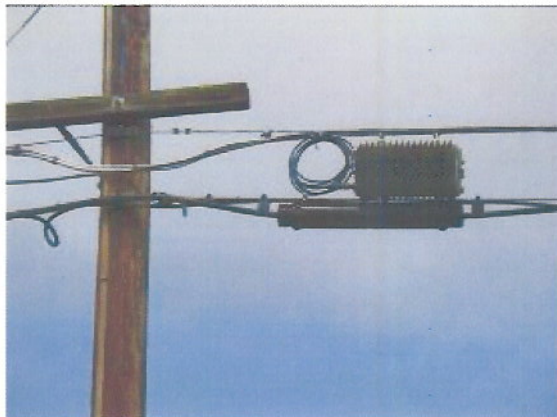
GO 95, Rule 38: Minimum Clearances of Wires from other Wires
Rule 38, Table 2, Case 16 requires a 3 inch separation between incidental wiring supported on the same pole.

A cable amplifier is touching the top of a phone splice box.



Picture 3

Across the street from 1018 Lime St., Porterville



Picture 4

Across the street from 1018 Lime St., Porterville

**5. Intersection of Heatherwood Ct. and Lime St., Porterville
Pole 2080995E**

While verifying recently inspected facilities at the above address we discovered the following violation. The violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 5.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.



Picture 5

Intersection of Heatherwood Ct. and Lime St., Porterville

**6. Across the street from 1184 Lime St., Porterville
Pole 1274602E**

While verifying recently inspected facilities at the above address we discovered the following two violations. These violations were not noted by CC staff on June 02, 2009, while they were inspecting these facilities.

GO 95, Rule 31.6: Abandoned Lines

"Lines or portions of lines permanently abandoned shall be removed by their owners so that such lines shall not become a public nuisance or a hazard to life or property. For the purposes of this rule, lines that are permanently abandoned shall be defined as those that are determined by their owner to have no foreseeable future use."

The service drop on the old pole (Pole 1274602E at 1184 Lime St.) was not removed during the pole transfer.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.

**7. 976 Division St., Porterville
Pole 673324E**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 6.

GO 95, Rule 84.8C(2)(b): Communication line over Vehicle-accessible Areas

“Over residential driveways, lanes or over property accessible to vehicles, service drops shall not be less than 12 feet. EXCEPTION: If the building served does not permit an attachment which will provide this 12 foot clearance without the installation of a structure on the building, the clearance shall be as great as possible, but in no case less than 10 feet”.

There is a low cable service drop to the home at this location. Ensure that the service drop is in compliance with the 12 foot or 10 foot clearance requirement.



Picture 6

976 Division St., Porterville

**8. 856 Division St., Porterville
Pole 641476E**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. Pictures of the violation can be seen in Picture 7, Picture 8, and Picture 9.

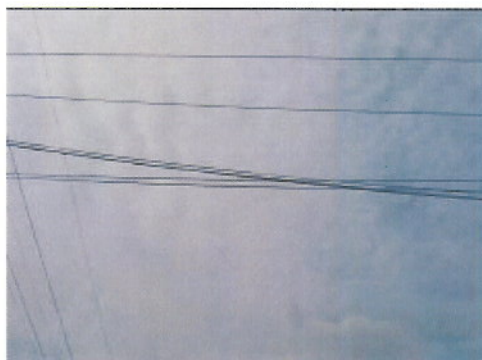
GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.



Picture 7
856 Division St., Porterville



Picture 8
856 Division St., Porterville



Picture 9
856 Division St., Porterville

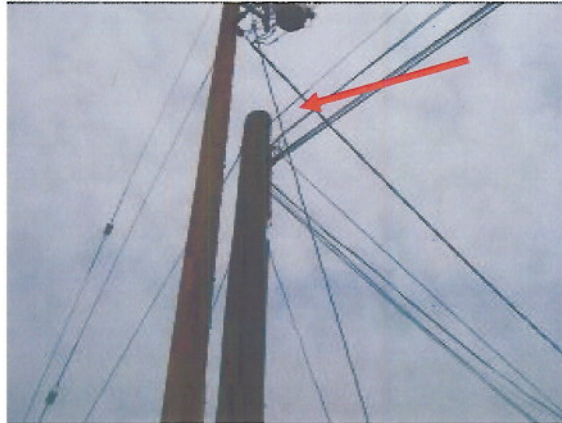
9. 734 N. Main St., Porterville
Pole 1957873E (next to Pole 4647051E)

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 03, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 10.

GO 95, Rule 31.6: Abandoned Lines

“Lines or portions of lines permanently abandoned shall be removed by their owners so that such lines shall not become a public nuisance or a hazard to life or property. For the purposes of this rule, lines that are permanently abandoned shall be defined as those that are determined by their owner to have no foreseeable future use.”

The service drop on the old pole (Pole 1957873E at 734 N. Main St.) was not removed during the pole transfer.



Picture 10

734 N. Main St., Porterville

**10. Intersection of Mulberry Ave. and Belmont St., Porterville
Pole 4568137E**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 02, 2009, while they were inspecting these facilities. Pictures of the violation can be seen in Picture 11 and Picture 12.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 19 requires a 3 inch separation between “guys and span wires” and “(communication) conductors” supported on the same pole.

A cable conductor is touching the phone company’s span wire.



Picture 11

Intersection of Mulberry Ave. and Belmont St., Porterville



Picture 12

Intersection of Mulberry Ave. and Belmont St., Porterville

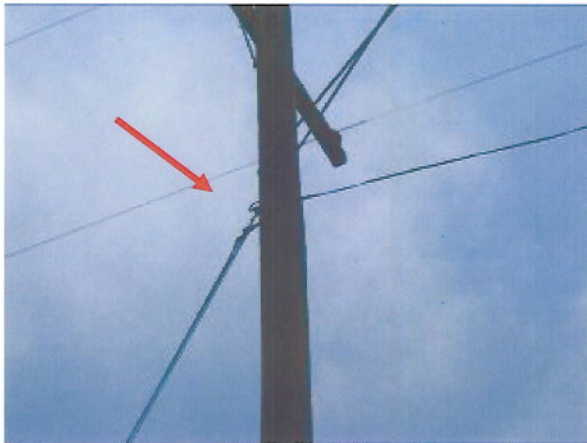
**11. 1054 Marshall St., Porterville
Pole 764901E**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 01, 2009, while they were inspecting these facilities. A picture of the violation can be seen in Picture 13.

GO 95, Rule 31.6: Abandoned Lines

“Lines or portions of lines permanently abandoned shall be removed by their owners so that such lines shall not become a public nuisance or a hazard to life or property. For the purposes of this rule, lines that are permanently abandoned shall be defined as those that are determined by their owner to have no foreseeable future use.”

The cable service drop from Pole 764901E is abandoned.



Picture 13

1054 Marshall St., Porterville

**12. 1128 W. Thurman Ave. (Int. of Maston St. and Thurman), Porterville
Pole ID obscured by brush.**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on June 01, 2009, while they were inspecting these facilities. Pictures of the violation can be seen in Picture 14, Picture 15, and Picture 16.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.



Picture 14

1128 W. Thurman Ave., Porterville



Picture 15
1128 W. Thurman Ave., Porterville



Picture 16
1128 W. Thurman Ave., Porterville

13. 341 N. Prospect St., Porterville
Pole 2253292E

While verifying recently inspected facilities at “349 N. Prospect St., Porterville” we discovered the following violation at the above listed neighboring location. The violation was not noted by CC staff on June 01, 2009, while they were inspecting the facilities at “349 N. Prospect St., Porterville”. A picture of the violation can be seen in Picture 17.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.



Picture 17
341 N. Prospect St., Porterville

14. 305 N. Prospect St., Porterville
Pole 2253291E & Pole 7795T

While verifying recently inspected facilities at “349 N. Prospect St., Porterville” we discovered the following violation at the above listed neighboring location. The violation was not noted by CC staff on June 01, 2009, while they were inspecting the facilities at “349 N. Prospect St., Porterville”. Pictures of the violation can be seen in Picture 18, Picture 19, and Picture 20.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors in between Pole 2253291E and Pole 7785T have less than 12 inches separation. Spans further down the street also have this violation.

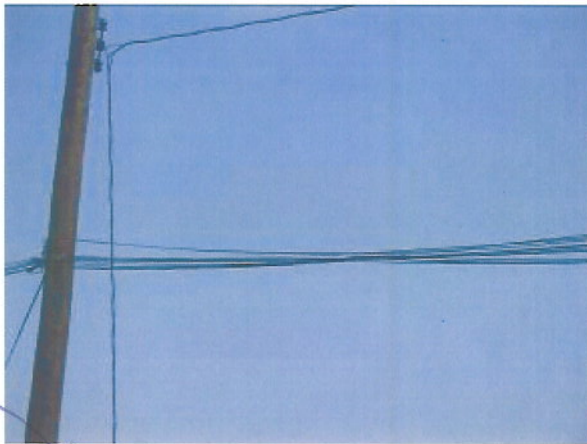


Picture 18
305 N. Prospect St., Porterville



Picture 19

305 N. Prospect St., Porterville



Picture 20

305 N. Prospect St., Porterville

**15. 24191 Rd. 216, Lindsay
Pole 1134449E**

While verifying recently inspected facilities at the above address we discovered the following violation. This violation was not noted by CC staff on May 04, 2009, while they were inspecting these facilities. Pictures of the violation can be seen in Picture 21, Picture 22, Picture 23, and Picture 24.

GO 95, Rule 84.8C(3)(b): Comm. line over Pedestrian-Only Areas

“Over areas accessible to pedestrians only, the vertical clearance shall not be less than 10 feet. EXCEPTION: If the building served does not permit an attachment which will provide this 10 foot clearance without the installation of a structure on the building, the clearance shall be as great as possible but in no case less than 8 feet 6 inches”.

There is a low cable service drop to the home at this location.



Picture 21
24191 Rd. 216, Lindsay



Picture 22
24191 Rd. 216, Lindsay



Picture 23
24191 Rd. 216, Lindsay



Picture 24
24191 Rd. 216, Lindsay

16. 324 Palm St., Exeter
Pole 448955E

While verifying recently inspected facilities at "324 Palm St., Exeter" we discovered the following violation at the above listed neighboring location. The violation was not noted by CC staff on May 19, 2009, while they were inspecting the facilities at "324 Palm St., Exeter".

GO 95, Rule 31.6: Abandoned Lines

"Lines or portions of lines permanently abandoned shall be removed by their owners so that such lines shall not become a public nuisance or a hazard to life or property. For the purposes of this rule, lines that are permanently abandoned shall be defined as those that are determined by their owner to have no foreseeable future use."

At Pole 448955E there is a downed cable service drop that is curled around the pole. The lowest portion of this cable service drop is approximately six feet above the ground.

17. Alley next to 240 S. D St., Exeter
Pole 4680266E

While verifying recently inspected facilities at the above address we discovered the following two violations. These violations were not noted by CC staff on May 19, 2009, while they were inspecting these facilities.

GO 95, Rule 38: Minimum Clearances of Wires from other Wires

Rule 38, Table 2, Case 8 requires a 12 inch separation between communication conductors supported on the same pole.

Cable and phone conductors have less than 12 inches separation.

GO 95, Rule 35: Tree Trimming

“Where overhead wires pass through trees, safety and reliability of service demand that tree trimming be done in order that the wires may clear branches and foliage by a reasonable distance...”

Tree branches were found to have grown into the spaces around the cable conductor such as to deflect said conductor from its proper position.

18. CPUC staff also found the following violations:

GO 95, Rule 31.1: Design, Construction and Maintenance

“Electrical supply and communication systems shall be designed, constructed, and maintained for their intended use, regard being given to the conditions under which they are to be operated, to enable the furnishing of safe, proper, and adequate service”.

- 1) CPUC staff was unable to visit three locations that were chosen for inspection:
 - a. Pole 4695591E, last visited by CC staff on June 07, 2009. The Discrepancy Report did not contain an address or location.
 - b. Pole CTC 1206181, last visited by CC staff on May 19, 2009. The Discrepancy Report listed the address as “504 Clarence”, but the pole could not be found at this location.
 - c. Pole ID not indicated; last visited by CC staff on May 20, 2009. The Discrepancy Report listed the address as “Exeter alleys”, but CC staff was unable to determine the location of this pole.
- 2) In several Discrepancy Reports, GO 95 violations were improperly marked as GO 128 violations instead.
- 3) In several Discrepancy Reports, the address is not indicated, nor are there any maps, drawings, directions or other means to locate the facilities.