

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 21, 2009

John Gutierrez
Director - Government Affairs
Comcast
3055 Comcast Place
Livermore, CA 94551

SUBJECT: Audit of Comcast – City of San Leandro

On behalf of the Utilities Safety and Reliability Branch (USRB) of the California Public Utilities Commission, Dennis Lee, Terrence Eng, and I conducted an audit of Comcast's San Leandro area on April 27, April 30, and May 1. The audit included a review of Comcast's maintenance programs for compliance with General Orders (GOs) 95 and 128.

During the inspection, we identified violations of one or more General Orders. A copy of the audit summary itemizing the violations is enclosed. Within 30 days, please advise me by electronic or hard copy of all the corrective measures taken, or planned to be taken by the Utility regarding the violation(s) and the date on which they were or will be corrected.

If you have any questions, please contact me at (415) 703-2192.

Sincerely,

A handwritten signature in black ink, appearing to read "Jadwindar Singh".

Jadwindar Singh, P.E.
Utilities Engineer
Utilities Safety and Reliability Branch
Consumer Protection and Safety Division

Enclosure: Audit Summary

CC: Dennis Lee, Utilities Engineer, CPSD
Terrence Eng, Utilities Engineer, CPSD

Audit Summary

Record Violations

(1) General Order 95, Rule 31.2 Inspection of Lines

“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.”

General Order 128, Rule 17.2 Inspection

“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 of these rules.”

During our audit, Comcast representatives explained that inspections are performed as part of daily business and outlined the variety of methods used by technicians and QC personnel to identify GO violations including, but not limited to the Day to Day's, QC Evaluations, and GO 95 Work. While these methods provide the opportunity to identify GO violations, they cannot be considered as an acceptable inspection program that meets the requirements of GO 95, Rule 31.2 and GO 128, Rule 17.2. Specifically, these GO rules mandate that all lines be inspected by the utility thoroughly and frequently. As our field findings below show, Comcast's inspection program adequately complies with neither of these requirements.

In order to be compliant with the “frequently” portion of GO 95, Rule 31.2 and GO 128, Rule 17.2, Comcast must be able to answer the question “How frequently?” Comcast representatives contend that the system is inspected daily and continuously, as their field personnel are tasked with continually identifying violations. However, as the violations found during our field audit show, this system does not work. We not only found violations at the exact location that Comcast personnel had just performed work, but we also found violations just outside of those areas, as well as along streets to and from those area (see Violations 21-25).

The thoroughness of Comcast's “inspections” is also an issue. Comcast field personnel are given GO 95 and 128 training, as well as documentation in the form of an “Outside Plan Handbook” that outlines how facilities are to be constructed and maintained. Comcast representatives also explained the scope of what their field personnel are expected to inspect during every customer visit: the attachment to the home, the service drop, the originating pole and its taps, and one span in each direction. However, Comcast could not provide specific documentation stating that this is an official procedure that has been distributed to its personnel. As our violations below show, only two locations out of the 27 that were visited during the field portion had no violations. In fact, almost all locations visited had multiple GO 95 and 128 violations even though Comcast representatives and their Quality Control personnel had just visited each of those locations.

The USRB finds that Comcast must:

- Create an inspection/maintenance program that meets the requirements of GO 95 Rule 31.2 and GO 128 Rules 17.2. The program must specify what Comcast considers “frequently” and “thoroughly.”

- Officially distribute a “scope of work inspection procedure” and evaluate the methods and procedures used for training their personnel to properly identify GO 95 and 128 violations.

Field Violations

Comcast representatives explained that as part of normal daily work, no matter if the work performed was inside a structure or outside, field personnel are expected to evaluate the attachment to the home, the service drop, the originating pole and its tap, and one span in each direction for GO violations. Personnel are asked to correct violations if time permits, and if not, to fill out a Special Request Order (SRO) so that the violation can be corrected at a later time. All violations noted below are within this scope of work, unless otherwise specified, and therefore should have been identified by Comcast personnel during their visit, but were not. Also, each violation is labeled to show which pool of work was evaluated: Day to Day’s (DTD), Quality Control personnel (QC), or General Order 95 Work (GO95).

(1) 4/30/09 – 469 Cascade
QC Job: 449752 Completed on 12/18/08, PG&E Pole # 110118279

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 19, Column C**

Guys and span wires passing conductors supported on the same poles shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop leads at the tap are in contact with AT&T’s span guy.

**II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 19, Column C**

Guys and span wires passing conductors supported on the same poles shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The Comcast span cable in contact with AT&T’s span guy at midspan (to the east).

(2) 4/30/09 – 1223 Wainright Ave
QC Job: 395899 Completed on 12/12/08, PG&E Pole # 110128908

I. General Order 95, Rule 84.7 Climbing Space

“Climbing space shall be provided on one side or quadrant of all poles or structures supporting communications conductors excepting at the level of the one pair of conductors attached to the pole below the lowest crossarm (Rules 84.4–C1c, 84.4–D1 and 87.4–C3) and the top 3 feet of poles carrying communication conductors only which are attached directly to pole in accordance with the provisions of Rule 84.4–C1c.”

The AT&T and Comcast service drops are routed on opposite sides of the pole.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires

Table 2, Case 19, Column C

Guys and span wires passing conductors supported on the same poles shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop leads at the tap are in contact with AT&T's span guy.

III. General Order 95, Rule 84.6 Vertical and Lateral Conductors

D. Vertical Runs

"Where bridled runs are not required to be covered by these rules, they shall be supported by bridle hooks or rings spaced at intervals of not more than 24 inches."

The riser is not attached to pole every 24 inches.

(3) **4/30/09 – 1060 Donovan Drive**
QC Job: 465133 Completed on 12/19/08, PG&E Pole # 110143950

I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop leads at the tap are in contact with AT&T's span.

II. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The midspan service drop to 1021 Donovan has 1 inch of clearance from power at the weather head.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 934 Donovan is 13 feet 9 inches at the curb. This location is outside of the scope of work.

- (4) **4/30/09 – 724 Odonnell**
QC Job: 440283 Completed on 12/17/08, PG&E Pole # 110118359

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop lead to 712 Odonnell is disconnected at the tap and is in contact with AT&T's span.

- (5) **4/30/09 – 1020 Lucille St**
DTD Job: 535626 Completed on 12/27/08, PG&E Pole # 110114228

I. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

At midspan (at the service drop to 1020 Lucille), AT&T's span is attached to Comcast's span.

**II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop leads at the tap are in contact with AT&T's span.

III. General Order 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 lines that are determined by their owner to have no foreseeable future use."

There is a piece of abandoned cable at the communication level, adjacent to the pole.

- (6) **4/30/09 – 1189 Camellia Ct.**
GO95 Completed on 12/16/08

I. General Order 128, Rule 42.7 Covers

"Manholes and handholes, while not being worked in shall be securely closed by covers of sufficient strength to sustain such loads as may reasonably be imposed upon them, and arrangement shall be such that a tool or appliance shall be required for their opening and cover removal (Also See Rule 17.8 and Appendix B, Fig. 9)."

The subsurface enclosure serving 1189 Camellia Ct, as well as the two subsurface enclosures leading to where the tap is located, were not locked or secured by any means. This is also a violation of Comcast's locking procedure as outlined by the "Outside Plant Handbook", Page 16.

II. General Order 128, Rule 41.6 Sealing Service Laterals

"Service conduits, by which water may enter buildings, shall be suitably plugged or sealed at the source of supply such as utilities' transformer or secondary handhole, and at the supply end of the conduit that enters the bottom of customer's terminating enclosure."

The service conduits located inside each of the aforementioned subsurface enclosures above were not plugged or sealed by any method.

- (7) **4/30/09 – 1355 Pacific, Apt. #4**
DTD Job: 543537 Completed on 12/30/08, PG&E Pole # 110120512

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 1363 Pacific, Apt. A, is in contact with the phone service drop to the same address.

- (8) **4/30/09 – 314 Lorraine**
QC Job: 465231 Completed on 12/19/08, PG&E Pole # 110119327

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop leads at the tap are disconnected and in contact with AT&T's span.

II. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 304 Lorraine is in contact with power at the weather head.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 305 Lorraine is 13 feet 7 inches at the curb.

IV. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 315 Lorraine is 13 feet 11 inches at the curb.

V. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(4) From Buildings and Structures: Service drops should be arranged so as not to hamper or endanger firefighters and workers in performing their duties.

Service drops are not required to clear the roofs of buildings on the premises served any specified vertical distance."

The service drop to 315 Lorraine is lying on the roof of the building served.

VI. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 315 Lorraine has less than 12 inches of clearance from power at the weather head.

VII. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

Pole # 110119326: The service drop leads at the tap are disconnected and in contact with AT&T's span. This location is outside of the scope of work.

VIII. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

Pole # 110119326: The service drop to 345 Lorraine is in contact with the phone service drop to the same address. This location is outside of the scope of work.

(9) **4/30/09 – 375 Pershing**
DTD Job: 118775 Completed on 2/27/09, PG&E Pole # 110114209

I. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 379 Pershing is 13 feet 5 inches at the curb.

(10) **4/30/09 – 170 Stoakes**
QC Job: 278980 Completed on 12/3/08

I. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

“These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches.”

The service drop to 170 Stoakes has less than 12 inches of clearance from power at the weather head.

II. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

(11) **4/30/09 - 299 Broadmoor**
On the way to Location 12, PG&E Pole #110122398

I. General Order 95, Rule 84.6 Vertical and Lateral Conductors

B. Ground Wires

“Ground wires, other than lightning protection wires not attached to equipment or ground wires on grounded structures, shall be covered by metal pipe or suitable covering of wood or metal, or of plastic conduit material as specified in Rule 22.8–A ...”

The ground molding is broken. This location is outside of the scope of work.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 299 Broadmoor is less than 3 inches from the AT&T's span. This location is outside of the scope of work.

(12) **4/30/09 – 330 Broadmoor**
QC Job: 279010 Completed on 12/3/08, PG&E Pole # 110121985

I. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

**II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 344 Broadmoor is in contact with AT&T's service drop at midspan.

III. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 345 Broadmoor is in contact with power at midspan.

**(13) 4/30/09 – 569 Victoria
DTD Job: 102763 Completed on 11/20/08**

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are not properly terminated and are hanging.

II. General Order 95, Rule 87.7 Covering or Guarding

D. Risers

(1) Covered from Ground Level to 8 Feet above the Ground:

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

- a) Securely or effectively grounded iron or steel pipe (or other covering at least of equal strength). When metallic sheathed cable rising from underground non-metallic conduit is protected by metallic pipe or moulding, such pipe or moulding shall be effectively grounded as specified in Rule 21.4-A , or
- b) Non-metallic conduit or rigid U-shaped moulding. Such conduit or moulding shall be of material as specified in Rule 22.8.

The vertical riser is not covered up to 8 feet.

III. General Order 95, Rule 84.6 Vertical and Lateral Conductors

D. Vertical Runs

"Where bridled runs are not required to be covered by these rules, they shall be supported by bridle hooks or rings spaced at intervals of not more than 24 inches."

The riser is not attached to pole every 24 inches.

IV. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

***Exception:** Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 569 Victoria is 16 feet 5 inches at the curb.

(14) 4/30/09 – 350 Myers Ct
DTD Job: 600358 Completed on 1/10/09

No violation noted at this location.

(15) 4/30/09 – 312 Hollister Ct
DTD Job: 169800 Completed on 2/17/09, PG&E Pole # 110125011

I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 317 Hollister at the tap is disconnected and in contact with AT&T's span.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 333 Hollister at the tap is disconnected and in contact with AT&T's span.

III. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 330 Hollister is in contact with power at midspan.

IV. General Order 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 lines that are determined by their owner to have no foreseeable future use."

The service drop to 342 Hollister is abandoned.

V. Comcast Procedure Violation

PG&E Pole #110125025: The service drops at the tap are not properly terminated and are hanging. This location is outside of the scope of work.

(16) 4/30/09 – 501 Diehl

QC Job: 279066 Completed on 12/3/08, PG&E Pole # 110114252

QC Job: 453426 Completed on 1/27/09, PG&E Pole # 110114252

I. General Order 95, Rule 51.7 Stepping

"The lowest step on any stepped pole, tower or structure shall be not less than 7 feet 6 inches from the ground line and above this point the spacing between steps on the same side of pole, tower or structure shall not exceed 36 inches."

The first pole step is only 7 feet 1 inch from the ground.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are disconnected and in contact with AT&T's span.

III. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

IV. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops:: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 507 Diehl has 8 inches of clearance from power at the weather head.

V. General Order 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 lines that are determined by their owner to have no foreseeable future use."

The service drop to 511 Diehl is abandoned.

VI. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 517 Diehl is in contact with phone midspan and also has less 3 inches of clearance from AT&T at the weather head.

- (17) **4/30/09 – 666 Superior**
DTD Job: 298482 Completed on 12/15/08, PG&E Pole # 110114283

No violation noted at this location.

- (18) **4/30/09 – 689 Saint Marys**
GO95 Job Completed on 2/18/09, PG&E Pole # 110115710

I. General Order 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 lines that are determined by their owner to have no foreseeable future use."

The service drop to 679 Saint Marys is abandoned.

- (19) **5/1/09 – 13402 Aurora**
DTD Job: 939480 Completed on 2/7/09, PG&E Pole # 110107121

I. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The AT&T service drop to 13402 Aurora is attached to Comcast's span.

II. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

PG&E Pole # 110107120: The service drop to 13450 Aurora is 13 feet 6 inches at the curb.

IV. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The AT&T service drop to 13450 Aurora is attached to Comcast's span.

VII. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 13427 Aurora is in contact with AT&T near the weather head.

(20) **5/1/09 – 14658 Tiburon**
DTD Job: 914969 Completed on 11/14/08, PG&E Pole # 110177478

I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires

Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are in contact with AT&T's span.

II. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 2255 Belvedere is 13 feet 8 inches at the curb.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 14655 Tiburon is 14 feet 2 inches at the curb.

Locations 21-25 are the subject of the City of San Leandro's complaint to the CPUC. The CPUC notified Comcast about specific locations on Merced Street that had violations. Comcast then notified the CPUC that the violations were corrected. We surveyed not only the previously identified locations, but the rest of the street as well.

(21) 5/1/09 – 14331 Merced Street

I. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line.*

The service drop to 14331 Merced is 14 feet 3 inches at the curb.

(22) **5/1/09 – 14368 Merced
PG&E Pole # 110187953**

I. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

II. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The AT&T service drops to 14369 and 14381 Merced are attached to Comcast's span.

(23) **5/1/09 – 14392 Merced
PG&E Pole # 110187900**

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are less than 3 inches from AT&T's span.

**II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 14380 Merced is in contact with AT&T's span.

III. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The AT&T service drop 14380 Merced is attached to Comcast's span.

IV. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The AT&T service drops to 14447 and 14448 Merced are attached to Comcast's span.

(24) **5/1/09 – 14448 Merced**
PG&E Pole # 110187952

I. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 14447 Merced is 13 feet 11 inches at the curb.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires **Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drop to 14466 Merced is in contact with AT&T's span.

(25) **5/1/09 – 14598 Merced**
PG&E Pole # 110188703

I. Comcast Procedure Violation

The service drops at the tap are not properly terminated and are hanging.

II. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any

ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The Comcast service drop to 14574 is attached to PG&E's span guy.

III. General Order 95, Rule 34 Foreign Attachments

"Nothing herein contained shall be construed as requiring utilities to grant permission for such use of their overhead facilities; or permitting any use of joint poles or facilities for such permanent or temporary construction without the consent of all parties having any ownership whatever in the poles or structures to which attachments may be made; or granting authority for the use of any poles, structures or facilities without the owner's or owners' consent.

The Comcast service drop to 14546 is attached to PG&E's span guy.

(26) 5/1/09 – 14587 Acacia

QC Job: 465349 Completed on 12/19/08, PG&E Pole # 110184766

I. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

***Exception:** Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 14610 Acacia is 15' 8 inches, 12 feet out from the curb. The same service drop is also 14 feet 5.5 inches at the curb.

(27) 5/1/09 – 14735 Pepperdine

QC Job: 465403 Completed on 1/20/09, PG&E Pole # 110223257

I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 16, Column C

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are less than 3 inches from AT&T's span.

II. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires Table 2, Case 8, Column C

Communication Conductors and service drops shall be at least 12 inches from Communications Conductors (Including open wire, cables and service drops).

To the South, Comcast's span is in contact with AT&T's span.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

PG&E Pole # 110223256: The service drop to 14743 Pepperdine is 13 feet 11 inches at the curb. This location is outside of the scope of work.

IV. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

PG&E Pole # 110223256: The service drop to 14747 Pepperdine is 11 feet 9 inches at the curb. This location is outside of the scope of work.

V. Comcast Procedure Violation

PG&E Pole # 110207687 (in front of 14759 Pepperdine): The service drops at the tap are not properly terminated and are hanging.

VI. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

PG&E Pole # 110207687: The service drop to 14751 Pepperdine is 13 feet 7 inches at the curb. This location is outside of the scope of work.

(28) 5/1/09 – 15027 Churchill
GO95 Job, Completed on 10/3/08, PG&E Pole # 110189905

**I. General Order 95, Rule 38 Minimum Clearance of Wires from Other Wires
Table 2, Case 16, Column C**

Conductors, taps or lead wires of different circuits shall be at least 3 inches from Communications Conductors (Including open wire, cables and service drops).

The service drops at the tap are less than 3 inches from AT&T's span.

II. General Order 95, Rule 51.7 Stepping

"The lowest step on any stepped pole, tower or structure shall be not less than 7 feet 6 inches from the ground line and above this point the spacing between steps on the same side of pole, tower or structure shall not exceed 36 inches."

The first pole step is only 7 feet 3 inches from the ground.

III. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 15044 Churchill is 14 feet 2 inches at the curb. The service drop is also touching AT&T's span.

(29) 5/1/09 – 15355 Beatty
DTD Job: 212827, Completed on 2/21/09, PG&E Pole #110218039

I. General Order 95, Rule 84.8 Service Drops

C. Clearances above Ground and Buildings

"The vertical clearances shall not be less than the minimum clearances specified in Rule 37, Table 1, Column B, with the following modifications:

(1) Above Public Thoroughfares: Vertical clearance shall not be less than 18 feet.

Exception: *Not more than 12 feet horizontally from the curb line, the 18 foot clearance may be gradually reduced to not less than 16 feet at the curb line."*

The service drop to 15368 Beatty is 14 feet 3 inches at the curb.

II. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

The service drop to 15368 Beatty has less than 12 inches of clearance from power, less than 12 feet from the home. The same drop has less than 12 inches of clearance from power at the weather head.

III. General Order 95, Rule 84.8 Service Drops

D. Clearances between Conductors

"These clearances shall not be less than the minimums specified in Rule 38, Table 2, Column C, with the following modifications:

(4) Above or below Supply Service Drops: Where within 15 feet of the point of attachment of either service drop on a building, this clearance may be further reduced but shall be not less than 12 inches."

PG&E Pole # 11028096 (in front of 15349 Beatty): The service drop to 15350 Beatty is in contact with power at the weather head.

Concerns and Recommendations

(1) Identifying GO Violations During the Course of Normal Business Work

Comcast management explained that although Comcast does not have an inspection program, the Utility already identifies and corrects GO violations through its normal course of business work. However, Comcast was not able to segregate GO 95 work that was found during the normal course of work, e.g., driving down the street, from GO 95 work found on customer visits. Therefore, we can not validate how well, if at all, field personnel are identifying GO violations during the course of business work. Furthermore, given the large volume of violations we found during the field audit, we don't find that Comcast field personnel are aware of their duty to consistently and continuously identify and either correct or schedule the correction of GO 95 violations that they come across during their daily work. If Comcast Personnel were in fact identifying violations as part of their daily work, the list would be immense.

(2) Quality of QC Inspections

As the violations previously noted show, Comcast's QC Inspection program needs work. During our field audit, all 10 of the previously QC'd locations we visited had either GO 95 violations or Comcast procedural violations. This is troubling, as Comcast QC personnel should not only be identifying all GO violations, but also notifying the company of violation trends that exist. Our audit found many recurring violations that Comcast must address system wide.

(3) CPUC Complaints

As the note before Location 21 states, Locations 21-25 were audited to follow up on a complaint that the CPUC received from the City of San Leandro. While the specific violations the CPUC reported to Comcast were corrected, we were surprised to see that the entire street had not been inspected for the same type of low service violations. Our audit found that many other violations existed on the same street and were clearly visible when looking up and down the street. We find two issues with this:

- 1) These violations show that Comcast field personnel are either not aware of Comcast's "scope of work" requirement, or simply chose not to follow it.
- 2) Furthermore, since the construction of the services was consistent on the street, Comcast management should have specified that the entire street be inspected, instead of correcting only the CPUC identified violations.