

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 31, 2010

Del Heintz
Director-Government Relations & Public Affairs
Charter Communications
4781 Irwindale Avenue
Irwindale, CA 91706

SUBJECT: Electric Audit of Charter Communications Malibu area overhead and underground facilities

Dear Mr. Heintz:

On behalf of the Utilities Safety and Reliability Branch of the California Public Utilities Commission, I conducted a Communication Infrastructure Provider audit of Charter Communications in Malibu area on May 17-21, and August 4, 2010.

As part of the audit, I conducted inspections in areas where Charter Communications recently performed inspections of overhead and underground facilities. I found that Charter Communications' personnel did not document all General Orders (GOs) 95 and 128 violations at the time of inspections and did not assign a date of corrective action for each violation discovered during the inspections. Attached to this letter is a list of the violations I observed during the audit.

Within 30 days from the date of this letter, please advise me of the corrective measures your company will take to ensure that GOs 95 and 128 violations are documented and addressed in your inspection records.

If you have any questions, please contact me at (213) 576-7016.

Sincerely,

A handwritten signature in black ink, appearing to read "MAHMOUD INTABLY".

Mahmoud (Steve) Intably, P.E.
Utilities Engineer
Utilities Safety and Reliability Branch
Consumer Protection and Safety Division

Enclosure: Inspection Report

Inspection Report

List of General Order (GO) 95 violations that were observed during the audit. The violations were on facilities that Charter Communications has inspected in 2010.

GO 95, Rule 31.6 Abandoned Lines

Rule 31.6 states:

“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...”

The following poles had abandoned service drops:

- 11548Y
- 799656E
- 4516884
- 711053E
- Pole located at 6071 Merritt Drive

GO 95, Rule 35 Tree Trimming

Rule 35 states:

“Communication and electric supply circuits, energized at 750 volts or less, including their service drops, should be kept clear of limbs and foliage, in new construction and when circuits are reconstructed or repaired, whenever practicable. When a utility has actual knowledge, obtained either through normal operating practices or notifications to the utility, that any circuit energized at 750 volts or less shows strain or evidences abrasion from tree contact, the condition shall be corrected by slacking or rearranging the line, trimming the tree or placing mechanical protection on the conductor(s). For the purpose of this rule, abrasion is defined as damage to the insulation resulting from the friction between the tree and conductor. Scuffing or polishing of the insulating covering is not considered abrasion. Strain on a conductor is present when there is additional tension causing a deflection of the conductor beyond the slack of the span. Contact between limbs and these conductors, in and of itself, does not constitute a violation of the rule.”

Each of the following poles had a service drop in contact with trees and showed signs of abrasion:

- 14542Y
- 1046713E
- 701772E
- 799656E
- 650355E
- 4516886E
- 783009E

Each of the following poles had a cable showing signs of abrasion and in contact with trees:

- 24222Y
- 24224Y
- 711056E
- GT68445
- GT60444
- 24225Y
- 114361E
- 1045714E
- 4557199E

GO 95, Rule 38, Table 2, Case 8C

GO 95, Rule 38, Table 2, Case 8C requires 12-inch vertical separation between communication conductors.

Charter communications cables on the following poles had less than 12-inch vertical separation from other communication cables:

- 1330927E
- 4557199E
- 1143627E
- 783009E
- GT103584
- 1045713E
- 4516890E
- 799691E
- 799656E
- 701772E
- GT68445
- GT60444
- GT114064
- 4516886E
- Pole located at 6702 Wildlife Dr.

Each of poles numbered GT114201 and 4557199E had a Charter Communications terminal box located more than 8-inch from centerline of the pole with less than 12-inch vertical clearance from other communication cables.

GO 95, Rule 38, Table 2, Case 16C

GO 95, Rule 38, Table 2, Case 16C requires a 3-inch radial separation between communication service drops.

Each of the following poles had a Charter communications service drop with less than a 3-inch radial separation from another communication service drop:

- 330925E
- 1330927E (2 drops)
- 1330928E
- 1169153E
- 1109152E
- 936662E
- 4125793E
- 73330E
- 783010E
- 1225947E
- 1045714E
- 1045720E
- 799691E
- GT112253
- 99668E
- 799659E
- 4516886E

Service drops at 6071 Merritt Dr. and at 29537 Harvester Rd. had less than a 3-inch radial clearance from other communication service drops.

GO 95, Rule 44.3 Replacement

Rule 44.3 states:

“Lines or parts thereof shall be replaced or reinforced before safety factors have been reduced (due to deterioration) in Grades “A” and “B” construction to less than two-thirds of the construction safety factors specified in Rule 44.1 and in Grades “C” and “F” construction to less than one-half of the construction safety factors specified in Rule 44.1. Poles in Grade “F” construction shall also conform to the requirements of Rule 81.3-A .

In no case shall the application of this rule be held to permit the use of structures or any member of any structure with a safety factor less than one.”

Each of poles numbered GT68445 and GT60444 had a broken anchor guy.

GO 95, Rule 84.8D(4) Above or Below Supply Service Drops

Rule 84.8D(4) states:

“The radial clearance between communication service drop conductors and supply service drop conductors may be less than 48 inches as specified in Table 2, Column C, Cases 4 and 9; Column D, Cases 3 and 8 , but shall be not less than 24 inches. 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.”

Charter Communications service drop conductors attached to pole number 1330927E had less than 2 ft radial clearance from Southern California Edison Company’s service drop conductor.

GO 95, Rule 87.7D Risers

Rule 87.7D states:

“(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."

Each of the following poles had a riser that was not encased:

- 1330922E
- 1330920E
- 1538525E
- 143227E
- GT114064
- 24225Y
- 711053E

GO 95, Rule 84.8C(1) Above Public Thoroughfares

Rule 84.8C(1) states:

"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. In no case shall the clearance at the center line be less than 18 feet. Where there are no curbs, the foregoing provisions shall apply using the outer limits of normal longitudinal vehicular movement in lieu of a curb line."

Each of the following poles had a service drop with less than 18 feet of clearance from ground level:

- 1330923E
- 799654E (2 drops)
- 799656E (2 drops)
- 799659E
- 711056E (4 drops)
- Pole located at 3616 Broad Beach Rd.

Each of the following poles had a service drop with had less than 16 feet of vertical clearance from ground level at the curb line:

- 1330923E
- 799654E (2 drops)
- 799656E
- Pole located at 3616 Broad Beach Rd.
- 799659E
- 711056E (4 drops)

During the audit, I discovered that Charter Communications did not have an auditable maintenance program for its facilities and did not have a timeline for corrective actions of violations of General Orders 95 or 128. Furthermore, Charter Communications did not have a priority system each safety hazard or violation.