

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 4, 2013

John Santhoff
Owner
Orion Broadband, Inc.
9505 Sage Hill Way
Escondido, CA 92026

CPUCID: CA2013-008

SUBJECT: CIP Audit of Orion Broadband ("Orion")


Dear Mr. Santhoff:

On behalf of the Electric Safety and Reliability Branch of the California Public Utilities Commission, Derek Fong of my staff conducted an audit of Orion from August 19, 2013 to August 23, 2013. The audit included a review of Orion's records and field inspections of Orion's facilities.

During the audit, we identified violations of General Orders (GOs) 95 and 165. A copy of the audit summary itemizing the violations is enclosed. Please advise me no later than November 15, 2013, by electronic or hard copy, of all corrective measures taken by Orion to remedy and prevent such violations.

If you have any questions, you can contact Derek Fong at (213) 576-6850 or derek.fong@cpuc.ca.gov.

Sincerely,



Raymond Fugere, P.E.
Program and Project Supervisor
Electric Safety and Reliability Branch
Safety and Enforcement Division

Enclosure: Audit Summary

Cc: Elizaveta Malashenko, Deputy Director, Safety and Enforcement Division
Fadi Daye, P.E., Senior Utilities Engineer Supervisor, CPUC – LA

AUDIT SUMMARY

1.	Location:	Orion service territory
	Date of CPUC Inspection:	8/19/2013
Explanation of Violation(s):		
<p><u>Incomplete Patrols</u></p> <p>GO 95, Rule 80.1-A1, States in part:</p> <p style="padding-left: 40px;"><i>In high fire-threat areas, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.</i></p> <p>Orion did not have records showing that it patrolled all of its facilities in high fire areas in 2012. Orion indicated that it patrols its facilities in the course of other work, such as during service installations. However, as Orion does not record these patrols, Orion is unable to verify that it patrolled all of its facilities.</p> <p><u>Incomplete Records</u></p> <p>GO 95, Rule 80.1-A4, States in part:</p> <p style="padding-left: 40px;"><i>Each company shall maintain records for at least ten (10) years that provide the following information for each facility subject to this rule: The location of the facility, the date of each inspection of the facility, the results of each inspection, the personnel who performed each inspection, the date and description of each corrective action, and the personnel who performed each corrective action.</i></p> <p>Orion did not have records of all patrols completed in 2012 to satisfy Rule 80.1-A1. Orion indicated that while it patrols its facilities in the course of other work, it does not record these patrols.</p> <p><u>Incomplete Detailed Inspections</u></p> <p>GO 95, Rule 31.2: Inspection of Lines, States in part:</p> <p style="padding-left: 40px;"><i>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.</i></p> <p>Orion did not have records showing that all Orion facilities were patrolled and inspected prior to 2012 to satisfy the requirements of GO 95, Rule 31.2. Orion indicated that while it patrols and inspects its facilities in the course of other work, it does not record these patrols or inspections.</p>		

The following violations were not documented and/or addressed by Orion during its patrols and inspections as required by General Order 95:

2.	Location:	Pole No. 615491
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/19/2013
Explanation of Violation(s):		
<u>Pole Transfer</u>		
GO 95, Rule 31.1: Design, Construction, and Maintenance, States in part:		
<i>For all particulars not specified in General Order 95, a supply or communications company is in compliance with this rule if it designs, constructs and maintains a facility in accordance with accepted good practice for the intended use and known local conditions.</i>		
Orion did not complete the transfer of its facilities to a new pole. This violation was not documented when Orion last inspected the pole.		

3.	Location:	Pole No. 412855
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/19/2013
Explanation of Violation(s):		
<u>Insufficient Clearance at Mid-Span</u>		
GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:		
<i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i>		
An Orion cable had less than the minimum required mid-span clearance of 3 feet from an SDG&E triplex. The violation was not documented when Orion last inspected the pole.		

4.	Location:	Pole No. 411781
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Insufficient Clearance at Support</u>		
<p>GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:</p> <p style="text-align: center;"><i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i></p> <p>An Orion cable had less than the minimum required clearance of 1 foot from a communications cable installed on the same pole. The violation was not documented when Orion last inspected the pole.</p>		

5.	Location:	Pole No. 619606
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Insufficient Clearance at Mid-Span</u>		
<p>GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:</p> <p style="text-align: center;"><i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i></p> <p>An Orion cable had less than the minimum required mid-span clearance of 3 feet from an SDG&E triplex. The violation was not documented when Orion last inspected the pole.</p>		

6.	Location:	Pole No. 619604
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/19/2013
Explanation of Violation(s):		
<u>Pole Transfer</u>		
<p>GO 95, Rule 31.1: Design, Construction, and Maintenance, States in part:</p> <p style="text-align: center;"><i>For all particulars not specified in General Order 95, a supply or communications company is in compliance with this rule if it designs, constructs and maintains a facility in accordance with accepted good practice for the intended use and known local conditions.</i></p> <p>Orion did not complete the transfer of its facilities to a new pole. This violation was not documented when Orion last inspected the pole.</p>		

7.	Location:	Pole No. 619602
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Insufficient Clearance at Mid-Span</u>		
<p>GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:</p> <p style="text-align: center;"><i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i></p> <p>An Orion cable had less than the minimum required mid-span clearance of 1 foot from a communications cable. The violation was not documented when Orion last inspected the pole</p>		

8.	Location:	Pole No. 619850
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Damaged Ground Molding</u>		
<p>GO 95, Rule 84.6-B: Ground Wires, States in part:</p> <p style="text-align: center;"><i>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, for a distance above ground sufficient to protect against mechanical injury, but in no case shall distance be less than 7 feet.</i></p> <p>An Orion plastic ground covering, within seven feet from the ground, was found damaged. The violation was not documented when Orion last inspected the pole.</p>		

9.	Location:	Pole No. 618214
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Orion Cable Installed on Top of Guard Arm</u>		
<p>GO 95, Rule 87.7-B: Longitudinal Aerial Cables or Messengers, States in part:</p> <p style="text-align: center;"><i>No communications conductor, cable or messenger shall be supported on or attached to the top or side surface of any guard arm as permitted for service drops and their (vertical and lateral) runs by provisions of Rules 84.6-C and 84.8-B2c.</i></p> <p>An Orion cable was attached to the top of a guard arm. The violation was not documented when Orion last inspected the pole.</p>		

10.	Location:	Pole No. 137518
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/20/2013
Explanation of Violation(s):		
<u>Orion Cable Installed in the Climbing Space</u>		
GO 95, Rule 84.7: Climbing Space, States in part:		
<p style="text-align: center;"><i>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 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.</i></p>		
An Orion cable was installed in the climbing space. The violation was not documented when Orion last inspected the pole.		

11.	Location:	Pole No. 313299 (near 5618 Loma Verde)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Orion Cable Installed in the Climbing Space</u>		
GO 95, Rule 84.7: Climbing Space, States in part:		
<p style="text-align: center;"><i>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 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.</i></p>		
An Orion cable was installed in the climbing space. The violation was not documented when Orion last inspected the pole.		

12.	Location:	Pole No. 313298 (near 5736 Loma Verde)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Orion Cable Touching Communications Cable</u>		
GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:		
<i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i>		
An Orion service drop had less than the minimum required radial separation of 3 inches from a communications cable. The violation was not documented when Orion last inspected the pole.		

13.	Location:	Pole No. 317220 (near 5810 Loma Verde)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Orion Cable Touching Communications Cable</u>		
GO 95, Rule 38: Minimum Clearances of Wires from Other Wires, States in part:		
<i>The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 ...</i>		
An Orion service drop had less than the minimum required radial separation of 3 inches from a communications cable. The violation was not documented when Orion last inspected the pole.		

14.	Location:	Pole No. 317222 (near 5840 Loma Verde)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Communications Cable Touching Orion Cable</u>		
<p>GO 95, Rule 18-A1c: Resolution of Safety Hazards and General Order 95 Nonconformances, States in part:</p> <p style="text-align: center;"><i>Where a communications company's or an electric utility' actions results in GO nonconformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified nonconformances to the communications company or electric utility for compliance.</i></p> <p>A communications service drop was touching an Orion cable. The violation was not documented when Orion last inspected the pole. Furthermore, Orion did not notify the communications company of the identified nonconformance.</p>		

15.	Location:	Pole No. 317223 (near 5840 Loma Verde)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Insufficient Clearance at Mid-Span</u>		
<p>GO 95, Rule 18-A1c: Resolution of Safety Hazards and General Order 95 Nonconformances, States in part:</p> <p style="text-align: center;"><i>Where a communications company's or an electric utility' actions results in GO nonconformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified nonconformances to the communications company or electric utility for compliance.</i></p> <p>A communications cable had less than the minimum required 1 foot clearance from an Orion cable. The violation was not documented when Orion last inspected the pole. Furthermore, Orion did not notify the communications company of the identified nonconformance.</p>		

16.	Location:	Pole No. 112796 (across from 6011 Lago Lindo)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Abandoned Orion Communications Drop</u>		
GO 95, Rule 31.6: Abandoned Lines, States in part:		
<p style="text-align: center;"><i>Lines or portions of lines permanently abandoned shall be removed by their owners so that such line shall not become a public nuisance or a hazard to life or property.</i></p>		
An Orion communications drop was abandoned and dangling to the ground. The violation was not documented when Orion last inspected the pole.		

17.	Location:	Pole No. 17469J (6130 Lago Lindo)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Broken Lashing Wire</u>		
GO 95, Rule 31.1: Design, Construction, and Maintenance, States in part:		
<p style="text-align: center;"><i>For all particulars not specified in General Order 95, a supply or communications company is in compliance with this rule if it designs, constructs and maintains a facility in accordance with accepted good practice for the intended use and known local conditions.</i></p>		
An Orion lashing wire was broken. This violation was not documented when Orion last inspected the pole.		

18.	Location:	Pole No. 12491 (near 6658 El Montavideo)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Communications Cable in the Climbing Space</u>		
GO 95, Rule 18-A1c: Resolution of Safety Hazards and General Order 95 Nonconformances, States in part:		
<p style="text-align: center;"><i>Where a communications company's or an electric utility' actions results in GO nonconformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified nonconformances to the communications company or electric utility for compliance.</i></p>		
A communications cable drop was in Orion's climbing space. The violation was not documented when Orion last inspected the pole. Furthermore, Orion did not notify the communications company of the identified nonconformance.		

19.	Location:	Pole No. 313252 (inside 5856 Lago Lindo)
	Previous Orion Visit Details:	8/12/2013 (approx.)
	Date of CPUC Inspection:	8/21/2013
Explanation of Violation(s):		
<u>Abandoned Orion Communications Drop</u>		
GO 95, Rule 31.6: Abandoned Lines, States in part:		
<p style="text-align: center;"><i>Lines or portions of lines permanently abandoned shall be removed by their owners so that such line shall not become a public nuisance or a hazard to life or property.</i></p>		
An Orion communications drop was abandoned and dangling to the ground. The violation was not documented when Orion last inspected the pole.		