

**Matilda Sanders**

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**Sent:** Tuesday, October 17, 2006 3:29 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Docket No. 060198 - FCTA Comments  
**Attachments:** 060198 FCTA Comments 10-17-06.pdf

**ORIGINAL**

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 RCA \_\_\_\_\_  
 SCR \_\_\_\_\_  
 SGA \_\_\_\_\_  
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**A.** The person responsible for this electronic filing is:

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**B.** The docket number and title is:

**In Re: Docket No. 060198- IE - Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.**

**C.** This document is filed on behalf of the Florida Cable Telecommunications Association, Inc.

**D.** The Comments are a total of 20 pages.

**E.** Attached are the Florida Cable Telecommunications Association's Comments for the October 30, 2006 workshop.

Thank you,

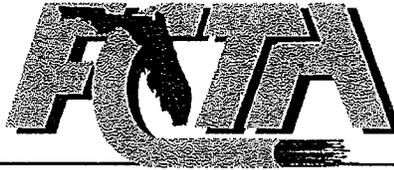
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10/17/2006

DOCUMENT NUMBER-DATE

09586 OCT 17 06

FPSC-COMMISSION CLERK



ORIGINAL

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Florida Cable Telecommunications Association

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Steve Wilkerson, President

**VIA ELECTRONIC DELIVERY**

October 17, 2006

Ms. Blanca S. Bayo, Director  
Division of the Commission Clerk  
And Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**RE: Docket Nos. 060198-EI**

Dear Ms. Bayo:

Attached for filing are M.T. (Mickey) Harrelson's Comments filed on behalf of the Florida Cable Telecommunications Association, Inc.

Copies have been served upon the parties of record by electronic and U.S. Mail delivery.

Thank you for your assistance in this matter. Please contact me with any questions.

Sincerely,

*s/ Michael A. Gross*

Michael A. Gross  
Vice President, Regulatory Affairs &  
Regulatory Counsel

Enclosure

cc: All Parties of Record

DOCUMENT NUMBER - DATE  
09586 OCT 17 06

FPSC - COMMISSION CLERK

## CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true and correct copy of the foregoing Comments of Florida Cable Telecommunications has been served upon the following parties electronically and by U.S. Mail this 17<sup>th</sup> day of October 2006.

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*s/ Michael A. Gross*

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Michael A. Gross

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.

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Docket No. 060198-EI

Filed: October 17, 2006

Comments of M. T. (Mickey) Harrelson, Consultant, Submitted on Behalf of the Florida Cable Telecommunications Association, Inc. for the October 30, 2006 Workshop

The initial distribution and transmission pole inspections and audits of the effect of third party attachments on pole strength required those responsible for the inspections and audits to make many assumptions. The attachment procedures and attachment standards in proposed Rule No. 25-6.0342 have not yet been proposed by the power companies. Third party attachers have had no input, and the Commission has not approved the procedures and standards.

Some of the issues to be addressed in the proposed procedures and standards should also be addressed in this workshop.

The comments below pertain to the proposed report lines (A) through (O).

**Lines (E) and (F)**

The definition(s) of unauthorized attachments should be sufficiently detailed to account for contract and application for permits requirements and past and present actual practices used by the parties in field implementation. For example, an attachment by a cable operator should not be considered to be unauthorized simply because the cable operator cannot produce a copy of a completed attachment permit.

**Line (G)**

The term strength tested should be defined to indicate if the number reported was the number tested by detailed specific measurements and calculations or some other method.

**Lines (N) and (O)**

The term apparent NESC violation should be limited to mean apparent NESC violation which affects the strength of the structure and NESC violations which could reasonably be expected to endanger life or property.

It is often difficult or impossible to determine if a violation of NESC spacing requirements between power and communications was caused by one or the other. Even owners of other cable facilities and power employees working on the poles move existing cables into violation. The meaning of the word involving in "involving electric infrastructure" and "involving 3<sup>rd</sup> party facilities" is not clear.

More useful information will be provided if line (N) states: *Number of apparent NESC violations which involve electric infrastructure only.* Line (O) should state: *Number of apparent NESC violations involving 3<sup>rd</sup> party facilities.*

The intent of the audits was to determine the possible overloading effect of cable attachments on poles supporting power lines. It was not intended to require a complete audit of all NESC requirements.

Previous comments submitted in this docket and Docket Nos. 060172-EU and 060173-EU are attached hereto as:

- Exhibit A - Docket No. 060173-EU, Staff Workshop, July 13, 2006.
- Exhibit B – Docket No. 060198-EI, FCTA’s Comments on the July 14, 2006 Informal Meeting Regarding Storm Implementation Plans Which the Utilities have Filed in Response to Order No. PSC-06-0351-PAA-EI, filed on July 26, 2006.
- Exhibit C - Docket Nos. 060172-EU and 060173-EU – Excerpts of Posthearing Comments of M.T. (Mickey) Harrelson, Consultant, Submitted on Behalf of the FCTA, filed on October 2, 2006.

Prepared by:

M. T. (Mickey) Harrelson  
Professional Engineer  
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**DOCKET NO. 060173-EU**  
**STAFF WORKSHOP**  
**July 13, 2006**

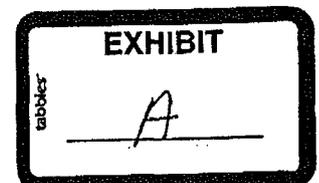
**JOINT USE OF POLES BY ELECTRIC, TELEPHONE,  
CABLE TV, AND OTHERS IN FLORIDA**

**Rule 25-6.0341 Location of the Utility's Electric Distribution Facilities**

1. Regarding location of the utilities' electric distribution facilities, it is very difficult to respond to the request for cost impact on cable TV of the proposed rule #25-6.0341. For new overhead or underground lines, we prefer that they be constructed in accessible locations. For relocation of existing lines the total cost could be 1.5 to 2 times the cost of new lines. An approximate cost of overhead is \$20,000 per mile and \$125 to \$150 per service drop. An approximate cost of underground is \$35,000 to \$40,000 per mile if constructed before subdivisions are established. Cost can be \$100,000 to \$125,000 per mile for underground systems in established subdivisions. Boring under roads and other obstacles costs \$9 to \$18 per foot. Input into electric construction projects is appreciated. We request that the opportunity for input be timely with respect to the evaluation of construction alternatives and our budgeting time deadlines. Funding of line relocation and conversion to underground projects remains a major concern.

**Rule 25-6.0342 Third-Party Attachment Standards and Procedures**

2. The implementation of Rule 25-6 0342, third-party attachment standards and procedures, could be very helpful to power and communications companies if the individual power companies adopt rules which recognize when it is prudent to exceed NESC requirements for joint pole use and when, as the pole fills up, the NESC requirements should govern. The application of extreme wind loading, if adopted and where it is applied geographically, will be as required by the Florida PSC. Thoughtful application of guying to help achieve required strength of pole lines can be very effective. The failure of guy wires, guy splices and guy anchors caused many pole failures during the hurricanes. Critical guys should be inspected and tested as thoroughly as wood poles are required to be. It is my understanding that the application of extreme wind loading is not to be applied state wide. We can not estimate the cost impact of extreme wind loading at this time.
3. Power lines, hardware for attaching lines to poles and power apparatus such as transformers, fused switches, lightning arrester assemblies, outdoor lights and many others usually account for most of the wind load on a pole. Wind load is a product of the surface area exposed to the wind multiplied times the force of the assumed wind and also multiplied times the pole height from the fixed point (often the ground line or the lowest guy wire) on the pole. What causes hurricane related pole failures is falling trees, flying building debris, soft soil, weak guy failure, rotten pole failure, and finally wind



force on poles, lines and attachments. Tornados within hurricanes have winds in excess of "extreme wind design speeds" which can and frequently do break poles which meet extreme wind criteria. Taking all these facts into consideration, it is unlikely that a broken pole failed because of a communication cable which would not have failed otherwise.

4. Rarely, multiple cable lines which are attached much lower than power facilities on poles do account for more wind load than very basic power lines with only two to four small wires with little or no electric apparatus attached.
5. Almost all power companies already have construction standards for power lines which specify power line and apparatus configurations for basic power pole assemblies. Examples are: one, two, or three primary voltage wires at the top of the pole with a neutral wire below; one, two, or three transformers on a pole; one or more electric service wires, both underground thru riser pipe or overhead thru the air; outdoor lighting fixtures and many other types of electric apparatus and wires.
6. Power Company construction standards do not contain drawings depicting the many combinations of power assembly units which are used in actual practice. Examples include adding transformers, underground service risers, outdoor light fixtures, secondary voltage cables, etc. to the various power line assembly configurations.
7. The RUS construction standards which are used by most Electric Cooperatives are available to the public and cable TV companies. Cable TV companies need access to the construction standards of all power companies with which they have attachment agreements. Without the standards it is impossible to determine what make ready work is appropriate to rearrange facilities on existing poles or make new attachments.
8. Many of the violations of the NESC separation requirements between power and communications facilities and many violations of the NESC pole loading limitations occur as a result of power facilities being added after the initial construction of power and communication lines.
9. The communications companies also have construction standards for attaching to poles, separation from power requirements, and pole loading limitations. The company which requires additional space or pole strength to accommodate its new attachment must pay the power company to rearrange facilities or install a new pole if necessary and pay the cost of other attachers to provide such space. This also applies to the power company when it needs additional space or strength for power facilities. The power company must bear the cost of additional space for its facilities. It may not take back space from a legal attacher or add facilities in violation of NESC rules.
10. *The National Electrical Safety Code (NESC)* is a performance standard which contains detailed rules for what must be accomplished for safety of power and communications lines. The NESC does not dictate how to accomplish what is required by the rules. Therefore, power and communications companies must have construction standards

which specify how they will accomplish what the NESC requires. For example they may use wood or concrete poles, build lines with tall poles spaced far apart or shorter poles spaced more closely etc.

11. It is accepted good practice to exceed many of the NESC requirements upon initial construction although it is not "necessary for safety." This practice allows enough pole strength and height to accommodate the addition of facilities by power companies, communications companies, and government agencies which often utilize poles for traffic signals, signal control circuit cables and other facilities.
12. Most power companies and telephone companies which own poles already have procedures for authorizing attachments by cable TV and others. They also have specifications for cable attachments, separation from power facilities and other cables, etc. Reliance on NESC requirements varies greatly among various companies. Compliance with NESC requirements is mandatory, as it should be. These procedures and attachment requirements are usually covered in existing joint use contracts or license to attach contracts.
13. The major problem with many of these existing contracts is that they contain provisions which are inconsistent with FCC rulings, and they contain some attachment rules which unreasonably exceed NESC requirements. Many of the attachment rules are not enforced by the pole owner in the field where workers often cooperate. When these type contracts and rules are used as the basis for a compliance audit they result in a very high alleged violation rate and erroneous assignment of responsibility. Many of these contracts give power companies "sole discretion" to specify attachment requirements and to change those requirements when they see fit. Pole attachment policies and procedures must be "just reasonable and non-discriminatory." Litigation involving one such contract has gone on for six years at the FCC and is still not resolved. We are concerned that power companies may simply submit those type of attachment rules and represent them as already agreed to by cable operators. One example of a power company requirement is 40 inches separation of cable TV below a power guy wire attachment. The NESC requires 6 inches. Therefore almost three feet of additional pole height is required for a pole with a power guy and a TV cable. Significantly, the addition of storm guying to distribution poles in certain areas is the most effective and economical way to greatly strengthen the lines. If this rule is enforced it could disrupt a very effective method of pole hardening. Great care by the commission staff and cooperation between utility representatives can identify such counterproductive rules which exceed NESC rules. One power company attachment rule requires 12 inches separation between communications drop attachment points on power poles. That is not an NESC requirement. It has nothing to do with safety or pole strength. Until recently it had never been enforced by the power company but now is mandatory, they say.
14. The common requirements for separation between cable TV and power, which exceed NESC requirements, are acceptable for new or existing poles with adequate height and strength capacity. In fact, more initial separation (up to 6 or 8 feet) between power and

cable is now required by some power cooperatives. For tall pole initial designs this is good planning. Facilities are routinely added to poles over time by power companies, communications companies and a growing number of others. As poles have more attachments added, the NESC rules must be applied as the final Standard for safety for separation of facilities and the strength of the poles.

15. Some power companies retain spacing requirements between cable and power which exceed NESC requirements even if they necessitate changing poles to taller poles. This practice is not necessary for safety, wasteful of resources, and unreasonable. NESC requirements (as modified by the FPSC) should be the final determination if an existing pole is required to be strengthened and/or made taller.
16. A significant number of poles in Florida contain violations of the separation requirements. Some of these violations have been caused by all of the various companies and agencies on the poles. Many of the NESC violations do not present serious safety hazards. Part 4 of the NESC contains safe work rules for electric and communications workers. Separate OSHA regulations also apply. Utility workers who are properly trained and equipped can perform their jobs safely even on non-standard or storm damaged pole lines.
17. Measures should be taken to correct serious safety hazards, correct practices by all electric, communications and other organizations which create NESC violations, and provide for orderly correction of existing violations. This should be done while incorporating whatever increased pole strength requirements are adopted in Florida. The NESC states in rule 214. "...defects....if not promptly corrected, shall be recorded;..." and ".....defects that could reasonably be expected to endanger life or property shall be promptly repaired, disconnected or isolated."
18. We appreciate the ability to have input into the revision of power company Attachment Standards and Procedures and will work to achieve good results.

Submitted by:

Michael T. (Mickey) Harrelson, Consultant  
On behalf of the Florida Cable Telecommunications Association

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.

Docket No. 060198-EI

Filed: July 26, 2006

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**The Florida Cable Telecommunications Association's  
Comments on the July 14, 2006 Informal Meeting Regarding  
Storm Implementation Plans Which the Utilities have  
Filed in Response to Order No. PSC-06-0351-PAA-EI**

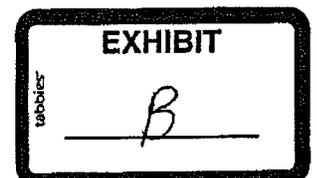
FCTA members have experienced the devastation of facilities and the associated long power outages caused by the recent hurricanes in Florida. Damages totaling many millions of dollars have been caused to cable TV facilities, along with similar damage to power and telephone lines and poles.

The FCTA and its members appreciate the tremendous amount of work already done by the FPSC and the power companies in Florida to improve hurricane preparedness and recovery. Our members agree that pole structure failure including the guy wires and other structural components are a major cause of both power outages and damage to communications cables.

The most effective effort to reduce widespread and lengthy power outages is Initiative # 3 to inspect transmission poles and substations and, it is assumed, to take remedial or corrective actions to repair or restore transmission lines and substations to design strengths and performance criteria.

Initiative #4 to harden transmission structures will help greatly to keep the power supply available to substations in communities near to and far from the immediate impact area of hurricanes. If the power transmission source(s) to substation(s) fails, all effective means of distribution line hardening are useless so long as the transmission and or substation remains out. Priority one is reliability and restoration strategies for (a) power generation stations (b) power transmission lines and (c) power substations. Many hours and days of power outages were suffered after hurricanes Charlie and Wilma because of transmission line outages alone.

Distribution lines have generally much smaller poles, but they are much more numerous than transmission line structures. Distribution line and pole failures cause localized power outages. The major causes of problems with distribution lines during hurricanes are: trees, tree limbs, flying building and other debris, poles rotten at the ground line, and broken or ineffective guy wires. Therefore, priority two should be initiative #1 vegetation management or tree trimming.



The previously ordered eight-year inspection cycle for wood distribution pole strength including guy wire inspection, if it requires remediation of defects found, will be effective in reducing power outages and damage to communications lines. We would place priority #3 on this requirement of Order No. PSC-06-0144-PAA-EI in Docket No. 060078-EI.

Docket No. 060173-EU proposes that some distribution lines be built to extreme wind standards and therefore affects wind loading assessment on poles audited for cable attachments. Audits of joint-use attachments are required in Order No. 06-0351. Therefore we are also making comments on the increased strength requirements.

Since reliability of transmission lines is most critical to the prevention of widespread and prolonged power outages and the transmission poles or structures are taller and frequently in inaccessible locations, increased design strength for transmission structures and tree clearing where required will be very effective in reducing power outages. The effectiveness of increased strength of design for distribution poles will have limited effect because of several factors.

Distribution lines and poles are often surrounded by trees and buildings, particularly in urban areas. It is not effective to build stronger distribution lines, only to have them brought down by tall trees and flying debris. Urban areas are also where the greatest concentration of communications cables are attached to distribution poles. It is rare that a distribution pole is broken by wind force alone, resulting from the added wind load caused by communications cable attachments.

Another common cause of wood pole failures is cascading of solid (strong) poles because an adjacent pole breaks in high wind because of rot or other defect. Pole inspection with appropriate remediation together with periodic storm guying is effective to minimize cascading.

Soft soil made worse by heavy rain causes many distribution poles to lean or fall. This is actually a design problem which can be addressed in a number of ways including compacting stone into the pole holes around the poles and storm guying.

Initiative 2 is the requirement in Docket No. 060198-EI to audit joint-use distribution pole attachments including pole strength assessments. This requirement could demand an unreasonable portion of available resources with marginal improvement of power reliability if detailed pole loading analysis is done on all joint-use poles. We recommend a sampling approach such as Gulf Power is proposing to further determine the actual extent of problems and effectiveness of appropriate remediation.<sup>1</sup> Accountability for

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<sup>1</sup> Item 3 within Gulf Power's proposal on Initiative 2 states: "Will verify attachments that have been made pursuant to current joint-use agreement through a 5 year cycle." In litigation pending between the FCTA and Gulf Power at the FCC, *Florida Cable Telecommunications Ass'n, Inc., et al. v. Gulf Power Co.*; EB Docket No. 04-381, 3 of the 4 cable operators involved do not formally have "current" joint-use agreements, so

overloading which is identified will be important. The pole loading for power, telephone, cable TV, and others should be separately calculated to produce the total pole loading.

A communication cable does add wind load to a pole line. Multiple cables obviously add more load. Proper engineering design requires considering the effects of all pole attachments on the pole. Measures should be taken to assure that adequate engineering is performed on new lines and new attachments. Power lines and facilities alone and in combination with communications can overload poles. Auditing of the effect of existing lines on pole loading and poles should be well planned to be adequate and cost effective.

There is widespread consensus among power, telephone, and cable TV companies that the transmission and substation inspection, transmission pole hardening, tree-trimming (vegetation management) and distribution pole inspection initiatives will be very effective in reducing the number and length of power outages. We believe these initiatives should move forward with the oversight required by the Florida Public Service Commission. We also urge that the analysis of loading of existing poles be carefully evaluated before finalizing the requirements of Docket No. 060198-EI and Docket No. 060173-EU.

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more appropriate language for Gulf Power in Item 3, Initiative 2, would call for Gulf Power to check whether attachments have been approved/permitted under a joint-use agreement or other existing arrangements.

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed rules governing placement of new electric distribution facilities underground, and conversion of existing overhead distribution facilities to underground facilities, address effects of extreme weather events.

DOCKET NO. 060172-EU

In re: Proposed amendments to rules regarding overhead electric facilities to allow more stringent construction standards than required by National Electric Safety Code.

DOCKET NO. 060173-EU

Filed: October 2, 2006

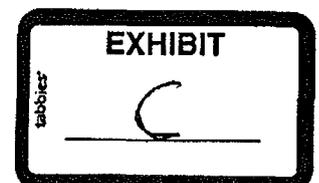
**EXCERPTS OF POSTHEARING COMMENTS OF M.T. (MICKEY) HARRELSON, CONSULTANT, SUBMITTED ON BEHALF OF THE FLORIDA CABLE TELECOMMUNICATIONS ASSOCIATION, INC.**

**Rule No. 25-6.0342 Third Party Attachment Standards and Procedures (Background Information)**

Order No. PSC-06-0351-PAA-EI initiative (2) required:

*“Each investor-owned electric utility shall develop a plan for auditing joint-use agreements that includes pole strength assessments. These audits shall include both poles owned by the electric utility to which other utility attachments are made (i.e., telecommunications and cable) and poles not owned by the electric utility to which the electric utility has attached its electrical equipment. The location of each pole, the type and ownership of the facilities attached, and the age of the pole and the attachments to it should be identified. Utilities shall verify that such attachments have been made pursuant to a current joint-use agreement. Stress calculations shall be made to ensure that each joint-use pole is not overloaded or approaching overloading for instances not already addressed by Order No. PSC-06-0144-PAA-EI.”*

The investor owned electric utilities have submitted plans and answered questions by PSC staff to implement this order.



Plans by TECO and Gulf indicate that stress calculations are not necessary on every joint use pole. The FCTA agrees that some form of screening and/or sampling is practical and effective to achieve the goals of the audits. FCTA believes that the objective of the audits is to determine the pole overloading caused by attachments including electric facilities attached to the poles.

Proposed Rules 25-6.034, 25-6.0341, and 25-6.0342, are anti-competitive and not factually supported as the most effective means of meeting the goals of reducing storm damage and protracted outages. There has been no competent evidence that storm damage and power outages in Florida from the recent hurricane seasons were caused by third-party attachments and/or inadequate construction and NESC standards. Third-party cable attachments are almost exclusively on distribution poles. The most effective effort to reduce widespread and lengthy power outages is to inspect transmission poles and substations and inspect distribution poles and to take remedial or corrective actions to repair or restore them to design strengths and performance criteria. The three-year vegetation management cycle will also be very effective. Distribution lines and poles are often surrounded by trees and buildings, particularly in urban areas. It is not effective to build stronger distribution lines, only to have them brought down by tall trees and flying debris. Urban areas are also where the greatest concentration of communications cables are attached to distribution poles. It is rare that a distribution pole is broken by wind force alone resulting from the added wind load caused by communications cable attachments. In essence, inspection and repair of transmission poles and substations, and improved inspections, maintenance, and vegetation management for tree trimming are the most effective means to increase the safety and reliability of Florida's electrical grid in the face of increased extreme weather events. The major causes of problems with distribution lines during hurricanes are trees, tree limbs, flying building and other debris, poles rotten at the ground line, and broken or ineffective guy

wires. Therefore a priority should be vegetation management or tree trimming. The cited rules give anticompetitive advantages to utilities and are not factually supported as the most effective means of meeting the goals of reducing storm damage and protracted outages. The record shows that there are more effective means of accomplishing these goals.

TECO has estimated the cost of pole audits to be \$53,000,000 over 10 years while its cost of tree trimming is estimated to be \$97,000,000. TECO also stated that it intends to conduct a complete safety audit of required clearances and all TECO attachment standards on poles with “unauthorized attachments.” This will be far beyond the FPSC requirement to determine the effect of third party attachments on pole strength.

Order No. PSC-06-0351-PAA-EI requires that utilities “verify that such attachments have been made pursuant to a current joint-use agreement.” Many “joint use” or “license to attach” agreements in Florida are in renegotiation or litigation and not current. The associated term “Unauthorized Attachment” has not been defined in this proceeding and has been the subject of litigation in other states. Other power companies have claimed that no attachment is “Authorized” unless a permit approved by the power company for each attachment can be produced. This is completely unrealistic considering the extreme variations in formal and informal procedures which have been practiced over the years. Many attachments in other disputes have been alleged to be “Unauthorized” even though they have been in place many years, inventoried in attachment counts, and pole rent paid for years. Therefore, there are many instances where third-party attachments without current joint-use agreements or documentation of permits for the attachments may nevertheless be authorized.

The reasonable goal of this rule is to assure that existing attachments, including power, are evaluated to determine if the pole is overloaded for the appropriate wind speed and remaining pole strength. A second goal is to assure that all attachers, including power,

are to perform sufficient engineering of future attachments to comply with the appropriate wind loading for each pole and comply with all other reasonable attachment standards of the pole owner.

These audits could quickly become complete safety audits (based on power company rules) completely bog down in lengthy disputes, and have little effect on hurricane preparedness.

#### **THE PRESENT ORDER PSC-06-0556-NOR-EU (NOTICE OF RULEMAKING )**

Rule No.: 25-6.034 proposes to order all electric utilities to establish construction standards “guided by the extreme wind loading” requirements of the NESC. Rule No.:25-6.0342 proposes: As part of the construction standards, each utility shall establish third party attachment standards. Each electric utility shall seek input from attached entities into its construction and attachment standards.

The proposed rules to require construction standards and third party attachment standards which incorporate the extreme wind design criteria would be much more marginally effective in reducing power outages than the pole inspection and vegetation management initiatives.

Audits of third party attachments to all poles in Florida would be a monumental and costly task. The audit guidelines, attachment standards, and associated definitions should be negotiated in advance and agreed upon by all parties involved; if not the results of the attachment audits are sure to be challenged. Construction standards, attachment standards, and attachment contracts already exist between power companies and third party attachers. Many disputes are already on-going regarding contract terms and attachment standards. The contracts and attachment standards are supposed to be negotiated between the parties.

A requirement by the Florida PSC for power companies to “establish third party attachment standards and procedures,” without first negotiating terms acceptable to third

parties, will complicate an already contentious issue. More importantly, it will disrupt the otherwise good progress being made to better prepare for hurricanes in Florida by slowing the rule-making. If the complete audits implied by the proposed rules and the Storm Preparedness Orders are required, they will drain resources from more productive initiatives already discussed. Specifically, wood distribution pole inspection should proceed without the simultaneous audit of third party attachments. The many issues related to the audits including third-party attachment standards and procedures should be resolved before the audits are done.

All attachments to utility poles should be designed and constructed to comply with the NESC. Unfortunately, some are not, including power attachments.

There is certainly a need to develop reasonable attachment standards which must comply with the NESC. Many "attachment standards" in Florida are in dispute or not complied with by multiple parties including power companies. Power companies should comply with their own construction standards and attachment standards. Many do not. Power company construction standards should be available to attaching companies for reference during construction and maintenance activities. Rearrangement of power facilities is frequently necessary to correct NESC violations. Many NESC violations are caused by power facilities being added which violate the construction and attachment standards. Again these attachment standards should be negotiated. If the FPSC staff can facilitate successful negotiations or perhaps recommend model attachment standards, that may be very helpful.

A much slower pace should be taken to address the problems caused by the proposed order requiring power companies to establish engineering standards and procedures for attachments by others to the utilities poles. The standards and procedures should be approved first by the FPSC before the attachment audits are incorporated into the wood pole inspections.

The purposes and scope of the audits should also be determined before the audits begin.

The case for resolving these issues now is supported by the following reasons.

1. Third party attachments are not a major part of the power outage problems.
2. Reasonable attachment standards should be established before any substantial auditing effort is expended.
3. The purpose and scope of the audits, if required, must be made clear.
4. Reasonable construction standards and attachment standards approved by the FPSC should be complied with for all new construction, relocations etc.
5. A practical strategy and plans to address existing problems should be developed.

#### **25-6.0345 Safety Standards**

The NESC 2007 is now in publication and in effect no later than 180 days after the publication date. Change the references to the 2002 NESC to the 2007 NESC.

The phrase "at a minimum comply with the standards..." is misleading and implies that the NESC is a minimum standard. Delete the phrase "at a minimum."

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