



VIA ELECTRONIC MAIL

January 29, 2024

Fadi Daye, P.E.
Program and Project Supervisor
Electric Safety and Reliability Branch
Safety and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Re: Response of Charter Communication, Inc. to SED Audit of Charter Communications, Inc. San Luis Obispo District

Dear Mr. Daye:

This letter is in response to your December 21, 2023 letter and Audit Report of Charter Communications, Inc.'s ("Charter") San Luis Obispo County District.

Below are our responses to issues identified in Section III, Field Inspections.

GO 95, Rule 91.3 Stepping, B. Location of Steps:

The lowest pole steps on the following poles were located at a height of less than eight feet:

- 121338485
- The tagless pole at 780 Piney Way

Lowest pole steps at both locations were removed on 1/12/2024.

GO 95, Rule 34, Foreign Attachments:

An unauthorized "Slow – Kids Playing" sign was attached to Pole No. 120404080.

Unauthorized sign removed from the pole on 1/12/2024.

GO 95, Rule 31.1, Design Construction and Maintenance:

The following overhead facilities required maintenance:

- A down guy wire on Pole #6 near 48 Buena Vista Avenue was detached from the pole.

This was not Charter's guy wire. Issue was reported via third party notification to AT&T on 1/12/2024.

- Vertical communications conductors on Pole Nos. 120426567 and 120946665 were partially outside their riser covers.

New molding was installed at both locations to on 1/12/2024.

GO 95, Rule 56.4, Clearances:

Table 2, Column C, Case 19 requires guy wires and communications conductors supported on the same pole to maintain a radial clearance of three inches. Charter communications conductors were in contact with down guy wires on each of the following poles:

- 121302912 • 121338563

Separation created between conductors on 1/11/24.

GO 95, Rule 31.6, Abandoned Lines:

Abandoned service drops were observed on the following poles:

- 120256153
- 120256152

Abandoned drops were removed on 1/12/24.

GO 95, Rule 38 - Minimum Clearances of Wires from Other Wires, Table 2, Column C, Case 8:

Charter communications conductors were in contact with third-party communications conductors near the following poles:

- Pole No. 5 at 2302 Santa Ynez Avenue
- 120101226
- 121496392
- 120404077
- 120270784

- 120412925

Separations created at all six locations on 1/12/2024.

GO 95, Rule 86.9, Guy Marker (Guy Guard):

An outermost down guy wire on Pole No. 21 near 2565 Fox Hollow Road lacked a suitable covering:

Guy guard replaced on 1/12/24.

GO 95, Rule 84.6-B, Ground Wires:

Ground wire covering on each of the following poles was damaged such that the ground wire was exposed at a height of less than eight feet:

- 121338479
- 120404080

Molding replaced at both locations on 1/17/24.

GO 128 Rule 34.3, Self-contained Surface-mounted Equipment:

The following surface-mounted facilities were not secured by means of locks or other means:

- The hand-hole near 2190 Heritage Loop Road
- The doghouse at 2295 Holly Drive
- The pedestal at 2255 Holly Drive
- The pedestal at 2225 Holly Drive
- The pedestal at 2216 Holly Drive
- The pedestal at 2160 Holly Drive
- The pedestal at 2155 Holly Drive
- The hand-hole at 202 Beach Comber Drive
- The hand-hole at 206 Beach Comber Drive
- The doghouse at 230 Beach Comber Drive
- The hand-hole at 125 Beach Comber Drive
- The hand-hole at 137 Beach Comber Drive
- The hand-hole at 143 Beach Comber Drive
- The hand-hole at 155 Beach Comber Drive

All locations were secured on 1/17/2024.

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

The following surface-mounted equipment required maintenance:

- The base of the doghouse at 2295 Holly Drive was buried such that the covering could not be secured.
- The base of the pedestal at 2275 Holly Drive was buried such that it could not be opened during the audit.
- The base of the pedestal at 2255 Holly Drive was buried such that the covering could not be secured.

Vaults were cleaned and raised to grade for access and locations were secured to prevent unauthorized access at all three locations on 1/18/24.

If you have questions regarding this response, please feel free to reach out to either Torry Somers (torry.somers@charter.com) or to me (trentyn.roden@charter.com).

Sincerely,



Trentyn Roden
Director, Field Engineering

cc: Leslie L. Palmer, Director, SED, CPUC
Nika Kjensli, Program Manager, ESRB, SED, CPUC
Ricky Tse, Senior Utilities Engineer, ESRB, SED, CPUC
Ibrahim, Majed, Senior Utilities Engineer, ESRB, SED, CPUC
James Miller, Utilities Engineer, ESRB, SED, CPUC
Torry R. Somers, Vice President Regulatory Affairs, Charter
Lisa Ludovici, Director Government Affairs, Charter

**DECLARATION OF TORRY R. SOMERS
SEEKING CONFIDENTIAL TREATMENT**

I, Torry R. Somers, declare as follows:

1. I am Vice President, State Regulatory Affairs, of Charter Communications, Inc. (“Charter”) and am authorized to make this declaration.
2. Charter is submitting its spreadsheet response (“Response”) to the December 21, 2023 Safety and Enforcement Division Audit Report of the San Luis Obispo County District, with this request for confidential treatment made pursuant to Sections 3.2 of General Order (“GO”) 66-D.
3. *Audit Information:* I am informed and believe that the Public Records Act protects against disclosure of investigatory information, which includes the type of audit information set forth in the attached.
4. *Critical Infrastructure Information:* The Response contains sensitive information regarding Charter’s network infrastructure. I am informed and believe that the California Public Records Act protects against disclosure of confidential “utility systems development” data, like the data contained herein. California Government Code § 6254(e). Moreover, I am informed and believe that state law protects against disclosure that is prohibited under federal law—federal law protects against the disclosure of information regarding critical infrastructure (6 U.S.C. § 673), which has been found to include communications network information like the information being submitted here. The enclosed infrastructure information is critical to our nation’s communications network, and disclosure of these records could harm public safety and network reliability by exposing to attack specific locations, operations, and functionalities of utility infrastructure.
5. *Trade Secret:* The Response contains confidential network and operational information that is not disclosed to the public. I am informed and on this basis declare that the information provided constitutes a trade secret as defined by California Civil Code § 3426.1 and California Evidence Code Section 1061—California Government Code § 6254(k) exempts from public disclosure any competitively sensitive information that constitutes a trade secret. This information would, if disclosed, provide access to information that would harm the private economic interests of Charter and could jeopardize the security of its network.
6. *Public Interest Not to Disclose:* The Response contains competitively sensitive material, not available to the public, that would be harmful to Charter if publicly disclosed, which weighs in favor of non-disclosure under California Government Code § 6255. In contrast to the direct harm that Charter would suffer from disclosure, there would be no benefit to the public from disclosure of the responses. A failure to preserve the confidentiality

of the document would discourage compliance with disclosure requirements and undermine the Commission's ability to perform its duties.

7. To the extent that there is a need to make contact regarding potential release of information, such contact should be made to Torry Somers, torry.somers@charter.com or Charter's counsel, zzankel@jenner.com.

I affirm and declare under penalty of perjury under the laws of the State of California, including Rule 1.1 of the CPUC's Rules of Practice and Procedure, that, to the best of my knowledge, all of the statements and representations made in this declaration are true and correct.

Executed on this 29th day of January, 2024 at El Segundo, CA.



Torry R. Somers