

Proceeding No.: I.08-11-007  
Exhibit No.: \_\_\_\_\_  
Witness: Greg Walters

**DIRECT TESTIMONY OF**  
**GREG WALTERS**  
**SAN DIEGO GAS & ELECTRIC COMPANY**

**BEFORE THE PUBLIC UTILITIES COMMISSION**  
**OF THE STATE OF CALIFORNIA**  
**May 18, 2009**



1 **DIRECT TESTIMONY OF**  
2 **GREG WALTERS**  
3 **SAN DIEGO GAS & ELECTRIC COMPANY**

4 Q: Please state your name and title.

5 A: Greg Walters, Supervisor of the Compliance Management Group at SDG&E.

6 Q: What are your responsibilities as the Supervisor of the Compliance Management Group  
7 at SDG&E?

8 A: I am the Team Lead for SDG&E's Joint Pole Department, which negotiates SDG&E's  
9 Joint Use Agreements and manages the joint pole attachment process for telecommunications  
10 companies. I also manage SDG&E's Electric Distribution Construction Quality Assurance  
11 Program and oversee SDG&E's compliance with General Orders 95, 128 and 165. I also  
12 represent SDG&E on the statewide General Orders 95 and 128 Rules Committee, which is  
13 comprised of professionals from electric utilities, communications companies and labor unions in  
14 California. With the CPUC serving in an advisory role, the Rules Committee works to review,  
15 revise and submit for adoption proposed changes to General Orders 95 and 128. In my work  
16 with the Rules Committee, I serve on the Executive Board and chair Subcommittee I, which is  
17 tasked with handling rules in General Orders 95 and 128 that have a direct effect on electric  
18 utilities in California.

19 Q: How many individuals do you supervise at SDG&E?

20 A: I supervise six individuals, including four quality assurance administrators, one technical  
21 advisor, and one technical support assistant.

22 Q: What is the purpose of your testimony in this proceeding?

23 A: I am providing testimony regarding Cox Communications' joint pole attachment  
24 responsibilities with respect to the facilities it installed between SDG&E poles 196394 and  
25 196387.

26 Q: What is your involvement with respect to SDG&E's joint pole attachment process?

27 A: I have been involved in the joint pole attachment process since 1999. As part of my  
28 responsibilities as Team Lead for the Joint Pole Department, I negotiate, review and manage

1 joint pole license agreements between SDG&E and telecommunications companies. As a result  
2 of my experience as an electric lineman and in my current position as Team Lead of SDG&E's  
3 Compliance Management, I am familiar with the CPUC's construction requirements, including  
4 General Order 95 and how it applies when telecommunications companies attach facilities to  
5 joint poles.

6 Q: What is the process whereby a telecommunications company such as Cox  
7 Communications attaches facilities to SDG&E's poles?

8 A: First, the telecommunications company would enter into a pole attachment license  
9 agreement with SDG&E. This license agreement allows the telecommunications company  
10 access to SDG&E's electric distribution structures and sets forth the obligations of the  
11 telecommunications company. The telecommunications company would then submit to SDG&E  
12 a joint pole attachment application to attach to SDG&E's poles. This application lists the poles  
13 to which the telecommunications company intends to attach its facilities and should reference  
14 any necessary make-ready work or proposed modifications to existing facilities. SDG&E would  
15 then review the application and approve or deny it based on the accuracy of the application and  
16 the make-ready work or proposed modifications described in the application.

17 Q: When did Cox Communications apply to attach telecommunications facilities to SDG&E  
18 poles 196394 and 196387?

19 A: Cox Communications applied to attach facilities to poles 196394 and 196387 in August  
20 2001. (At that time, the pole numbers were 14288 and 14286, respectively.) A copy of the joint  
21 pole attachment application is attached as Exhibit 1. SDG&E would not have been informed of  
22 the actual installation date once the application was approved.

23 Q: Did the joint pole attachment application address the clearance at which Cox  
24 Communications was to install its facilities?

25 A: Yes. As set forth in the application, Cox Communications represented that it would  
26 install its facilities six feet below SDG&E's facilities.

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1 Q: Does Cox Communications have contractual obligations with respect to the facilities it  
2 attaches to SDG&E's poles, including the facilities located on and between poles 196394 and  
3 196387?

4 A: Yes. As described above, a license agreement sets forth Cox Communications'  
5 contractual obligations with respect to facilities on SDG&E's poles. A copy of the license  
6 agreement at issue here (I will refer to this as the "License Agreement") is attached to this  
7 testimony as Exhibit 2. Among other things, paragraphs 17, 19 and 24 of the License Agreement  
8 state that Cox must install, operate and maintain its equipment in compliance with General Order  
9 95, including ensuring that not less than minimum General Order 95 clearance is maintained  
10 between Cox's facilities and SDG&E's conductors.

11 Q: What are the General Order 95 rules that govern clearance between conductors and  
12 facilities installed by third parties, such as Cox Communications?

13 A: Utilities like Cox Communications must comply with the requirements of General Order  
14 95, Rule 32.1 ("Two or More Systems") and Rule 38 ("Clearances Wire to Wire"). Rule 38  
15 requires a minimum of 6 feet of clearance (based on a temperature of 60°F and no wind) between  
16 the telecommunications facilities and conductors at issue here. Rule 32.1 requires the utility that  
17 last in point of time constructs its facilities (here, Cox Communications) to establish the  
18 clearance from the conductors required by Rule 38.

19 Q: Does Rule 38 require a minimum 6-foot clearance throughout the span as well as at the  
20 poles?

21 A: Yes.

22 Q: Did SDG&E have an expectation that Cox would install and maintain its facilities in  
23 compliance with General Order 95, including Rule 38 clearance requirements?

24 A: Yes. Not only do the requirements of General Order 95, specifically Rules 32.1 and 38,  
25 independently apply to Cox Communications, but it was expressly obligated by the License  
26 Agreement to install, operate and maintain its facilities in compliance with the minimum  
27 clearance requirements set forth in General Order 95. Rule 31.2 ("Inspection of Lines") of  
28 General Order 95 (in Section III "Clearance Requirements for All Lines") requires all utilities to

1 inspect their facilities frequently and thoroughly for the purpose of ensuring that they are in good  
2 condition so as to conform to those rules, and it is SDG&E's expectation that Cox  
3 Communications, as a licensee, will maintain its facilities in a manner that will not impact the  
4 safety and reliability of SDG&E's system.

5 Q: Prior to November 2, 2007, did SDG&E have any reason to believe that Cox  
6 Communications did not do so?

7 A: No. As set forth in the joint pole attachment application submitted by Cox  
8 Communications and approved by SDG&E, Cox Communications represented that it would  
9 install its facilities six feet below SDG&E's facilities at the subject span, as required by General  
10 Order 95.

11 Q: Does SDG&E have any reason to believe at this time that Cox Communications did not  
12 do so?

13 A: Yes. It is my understanding that a post-fire survey done by Nolte & Associates  
14 determined that clearance at the closest points between the Cox facilities and SDG&E's  
15 conductor was less than the six-foot clearance required by General Order 95 and set forth in  
16 Cox's joint pole attachment application.

17 Q: When Cox attached to poles 196394 and 196387 in August 2001, were there any facilities  
18 running between those poles other than SDG&E's conductors?

19 A: Not to my knowledge.  
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## QUALIFICATIONS

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2 My name is Gregory L. Walters. My business address is 8316 Century Park Ct., San  
3 Diego, California, 92123. I am the Team Lead of San Diego Gas & Electric Company's  
4 ("SDG&E") Compliance Management Department. I have a major in the Electrical Trade for  
5 Linemen and have been a Journeyman High Voltage Lineman since 1993. As a Journeyman  
6 Lineman I have a background in the design of construction standards, system operations, and  
7 construction of electric distribution and transmission systems. In 2000, I became the Joint  
8 Facilities Administrator of SDG&E's Joint Facilities, and my responsibilities include managing  
9 SDG&E's joint pole attachment policies and procedures. I also manage the Electric Distribution  
10 Quality Assurance Program and oversee SDG&E's compliance with General Orders 95, 128 and  
11 165. I also represent SDG&E on the statewide General Orders 95 and 128 Rules Committee,  
12 which is comprised of professionals from electric utilities, communications companies and labor  
13 unions in California. In my work with the Rules Committee, I serve on the Executive Board and  
14 chair Subcommittee I, which is tasked with handling rules in General Orders 95 and 128 that  
15 have a direct effect on electric utilities in California.

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