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April 23, 2024

Dear Rickey Tse,

Subject: Communication Infrastructure Provider Audit of AT&T Mendocino and Lake Counties

I am enclosing the response of Pacific Bell Telephone Company d/b/a AT&T California ("AT&T") to your letter dated March 11, 2024 ("March Letter") regarding the Communication Infrastructure Provider Audit of AT&T Mendocino and Lake Counties from November 27, 2023 to December 1, 2023 ("Mendocino and Lake Counties Audit" or "the Audit Report").

The March Letter requested that AT&T advise you of actions it has taken to address conditions identified during the Safety and Enforcement Division's ("SED's") Mendocino and Lake Counties Audit and requested a response by April 9, 2024. On April 4, 2024, Samuel Mandell on your staff agreed via email to an extension to April 23, 2024, for the response. This response is submitted timely.

Please note that some of the information is confidential. Therefore, I am also enclosing a redacted public version as requested in the March Letter.

Regards,

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Enclosures: AT&T's Response to the Mendocino and Lake Counties Audit (Confidential version and Public version) and a declaration in support of claim for confidential treatment.

Cc: Lee Palmer, Director, Safety and Enforcement Division (SED), CPUC
Nika Kjensli, Program Manager, ESRB, SED, CPUC
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AT&T'S RESPONSE TO THE MENDOCINO AND LAKE COUNTIES AUDIT

I. Records – Alleged Violations

Alleged Records Violation #1: AT&T only conducts complete patrol and detailed inspections of their communication lines and assets in Distribution Areas (DA) that contain High Fire Threat Districts. In all other areas, no regular inspections take place. AT&T has no set schedule for detailed inspections and patrols that ensures all poles and assets are inspected thoroughly and completely as required by GO 95.

AT&T Response: General Order 95 (“GO 95”), Rule 80.1.A.(2), adopted in 2012 via Decision (D.) 12-01-032, allows communication infrastructure providers with facilities located in a lower risk area¹ to determine the frequency/type/thoroughness of the inspection for such lower-risk facilities. *****BEGIN CONFIDENTIAL**

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

END CONFIDENTIAL***

¹ In this response, “lower risk area” refers to areas not designated as Tier 2 or Tier 3 in the High Fire Threat District. Compare GO 95, Rule 80.1.A.(1) – Inspection Requirements for Joint-Use Poles in High Fire-Threat District with GO 95, Rule 80.1.A.(2) – Statewide Inspection Requirements.

Alleged Records Violation #2: AT&T provides no procedures to ensure underground assets are inspected thoroughly and completely as required by GO 128.

AT&T Response: ***BEGIN CONFIDENTIAL

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CONFIDENTIAL*** To the extent the ESRB is requiring a written maintenance program or procedural manual for such inspections, GO 128 does not require that of the communications systems owner.

Alleged Records Violation #3:² ESRB’s review of AT&T’s Mendocino and Lake County Region patrol and detailed inspection records from July 01, 2018 to October 01, 2023 for the interval between inspections and the period since the last inspection. AT&T’s inspection records are listed by Distribution Areas (DA) and only includes those DAs that contain HFTD Tier 2 or Tier 3 areas. ESRB found a total of 201 DA inspections that were late or are past due, leading to an unknown number of assets/facilities being inspected late.

AT&T Response: Without admitting that AT&T violated GO 95, Rule 31.2 or GO 95, Rule 80.1-A (1), 76 patrol inspections were completed beyond the assigned due date. While AT&T consistently aims to finish its inspections on or prior to the assigned due date, a multitude of variables can interfere with the timely execution of these inspections, such as weather conditions, access limitations, and challenges related to permits or environmental considerations, to name a few.

AT&T does not agree that the remaining 122 inspections were completed late or were past due. More specifically, based on information received after AT&T responded to the pre-audit data request, AT&T determined that 120 patrol inspections were completed by the assigned due date. AT&T also made the following determinations on the following 2³ DAs:

- DA 310151: As part of AT&T’s annual review, AT&T identified a few feet of cable that was now located in this DA and overlapped with the High Fire-Threat District due to a DA boundary realignment; therefore, the entire DA was included in AT&T’s Inspection program. AT&T performed a detailed inspection of this entire DA on August 2, 2023.
- DA NHA230551: As part of AT&T’s annual review, AT&T identified a newly-added (*i.e.*, non-preexisting) cable in this DA that overlaps with the High Fire-Threat District; therefore, the

² The Audit Report also alleged DA 310151 and R3119/LKPTCA02 are the “latest and most overdue inspections.” AT&T disagrees that the inspection of 310151 was completed late as discussed herein. Regarding R3119, AT&T disagrees that the inspection was overdue. The information provided for nine inspections, in response to the pre-audit data request, incorrectly noted the inspection date as May 5, 2022 – it should have read May 5, 2023. The Audit Report correctly notes that AT&T performed the most recent inspection on May 5, 2023, which was a patrol inspection.

³ DAs CVELCAXF, GRVLCAXF and LYVLCAXF are included in AT&T’s Inspection program. Detailed inspections were completed on February 9, 2022 for DAs GRVLCAXF and LYVLCAXF and August 2, 2023 for CVELCAXF.

entire DA was included in AT&T's Inspection program. AT&T performed a detailed inspection of this entire DA on August 2, 2023.

Alleged Records Violation #4a: ESRB's review of AT&T's Mendocino and Lake County Region pending and completed repairs and found the use of Hazard Level "2c" in each year, 2018 through 2023. The AT&T Overhead Lines Maintenance Plan, GO 95 Rule 18, Version 4.0 (May 22, 2023) under Section 3.1 Classification of Nonconformance does not list a Level 2c. Previous revisions of the AT&T Overhead Lines Maintenance Plan prior to June 28, 2019 also do not list a Level 2c Nonconformance. No corrective action interval for Level 2c is established in any provided AT&T Overhead Lines Maintenance Plan.

AT&T Response: The AT&T Maintenance Plan has been updated to include a definition of "Hazard Level 2c". Once finalized, a confidential copy of the updated AT&T Maintenance Plan will be provided.

Alleged Records Violations #4b:⁴ ESRB's review of AT&T's Mendocino and Lake County Region work orders from July 1, 2018, to October 1, 2023 found that AT&T incorrectly assigned due dates for 240 work orders. The assigned dates either exceeded Rule 18 corrective action interval or had due dates that preceded the origination date.

AT&T Response: AT&T does not agree that it incorrectly assigned due dates for 240 tickets.⁵ More specifically, for the:

- 18 Hazard Level 1 tickets alleged to be assigned the incorrect due date:
 - 11⁶ tickets were originally created in AT&T's DWM System with the correct due date. Around the early-September 2019 time frame, AT&T changed its ticketing system from the DWM System to AT&T's Rehab Work Management System ("RWM System") and migrated data from the DWM System to the RWM System. After migration, the RWM System incorrectly identified the "Opened"⁷ date for these tickets with a post-migration date (*e.g.*, November 23, 2019). However, the RWM System identifies the correct "Entered on" date (*i.e.*, pre-September 2019) and the correct due date for these tickets.
 - 7 tickets were opened between 7p.m. – 11:59p.m. (Pacific Time) in the RWM System. When this happens, the RWM System assigns the due date, based on a

⁴The Audit Report also alleged Package ID 469191 and 478568 are the "latest closed and most past due pending work orders." AT&T responds as follows:

- Package ID 469191 – the associated pole is located behind the property owner's fence, and AT&T has been unable to obtain permission from the property owner to gain access to the pole to complete the repair. This ticket was inadvertently closed on September 12, 2023. A new ticket has since been opened, and AT&T is actively trying to obtain permission to gain access to the pole.
- Package ID 478568 – the ticket initially identified the incorrect location of the AT&T facility (*i.e.*, down guy) needing repair. The correct location has now been identified, and the AT&T facility is scheduled to be repaired by April 30, 2024.

⁵ In this response, "tickets" has the same meaning as a "work order" or "package" and may be used interchangeably.

⁶ The Audit Report alleged there are "12 entries with due dates before the creation date[]" but AT&T only identified 11.

⁷ The spreadsheet AT&T produced in response to the pre-audit data request for completed orders referred to the "Opened" date as the "Create date."

3-day interval, as if the ticket was submitted the next calendar day. Based on this information, the assigned due dates are correct.

- 79 Hazard Level 2 tickets alleged to be assigned the incorrect due date – these tickets were opened between January 19, 2018 and June 30, 2019 and assigned the correct due date based on GO 95 in effect as of December 2017, which required a repair interval of 59 months.⁸
- 14 Hazard Level 2b tickets alleged to be assigned the incorrect due date:
 - 13 tickets were opened without a fire tier assigned; therefore, the RWM System automatically defaulted the tickets as a Fire Threat Tier 1, which assigned the repair interval at 36 months.⁹ The due date is correct for the assigned Fire Threat Tier.¹⁰
 - 1 ticket was opened prior to July 2019 in the DWM System without a fire tier assigned; therefore, the DWM System automatically defaulted the ticket as a Fire Threat Tier 1, which assigned the repair interval at 59 months.¹¹ The due date is correct for the assigned Fire Threat Tier at the time.
- 128 Hazard Level 3 tickets alleged to be assigned the incorrect due date, all these tickets were opened prior to July 2019 and the interval for repair at that time was *****BEGIN CONFIDENTIAL [REDACTED] END CONFIDENTIAL*****.¹² The due date is correct for the assigned Fire Threat Tier at the time.

Alleged Records Violation #4c: Additionally, ESRB’s review of AT&T’s Mendocino and Lake County Region work orders from July 1, 2018 to October 1, 2023 found that AT&T completed a total of 1,414 work orders late or are late pending. Late closed work orders are work orders completed after the due date. Late pending work orders are work orders that had due dates prior to September 30, 2023 but were not complete by that date.

AT&T Response: Without admitting that AT&T violated GO 95, Rule 18, 267 tickets were closed beyond the assigned due date. While the records may have indicated that a ticket was closed on a certain date, that does not necessarily indicate that any related corrective action had not been completed by the assigned due date. Closing repair tickets is a time-consuming manual process.

⁸ See D.17-12-024, *Decision Adopting Regulations to Enhance Fire Safety in the High Fire-Threat District*, Rulemaking (R.) 15-05-006, at Appendix B-2 (Dec. 14, 2017) (adopting revisions to Rule 18 and providing, in relevant part, for priority Level 2 in Rule 18A(2)(a)(ii) “Time period for correction to be determined at the time of identification by a qualified company representative, but not to exceed: (1) six months for nonconformances that create a fire risk located in Tier 3 of the High Fire-Threat District; (2) 12 months for nonconformances that create a fire risk located in Tier 2 of the High Fire-Threat District; (3) 12 months for nonconformances that compromise worker safety; and (4) 59 months for all other Level 2 nonconformances.”) (emphasis added).

⁹ See generally GO 95, Rule 18B(1)(a)(ii) – Maintenance Programs & Appendix I – Examples of Rule 18 Priority Levels and Safety Hazards (providing, in relevant part, for priority Level 2 “Time period for corrective action to be determined at the time of identification by a qualified company representative, but not to exceed: (1) six months for potential violations that create a fire risk located in Tier 3 of the High Fire-Threat District, (2) 12 months for potential violations that compromise worker safety, (3) 12 months for potential violations that create a fire risk located in Tier 2 of the High Fire-Threat District, and (4) 36 months for all other Level 2 potential violations.”) (emphasis added).

¹⁰ In 2023, AT&T updated the RWM System to default tickets without a fire tier assigned to default to Fire Threat Tier 3.

¹¹ See D.17-12-024 at Appendix B-2 (allowing corrective action interval of up to 59 months “for all other Level 2 conformances” in Rule 18A(2)(a)(ii)).

¹² See generally *id.* (excluding corrective action interval for priority Level 3 in Rule 18A(2)(a)(iii)).

Without admitting that AT&T violated GO 95, Rule 18, the information AT&T produced in response to the pre-audit data request appears to indicate that 1,147 tickets are pending; however, that does not necessarily mean that any related corrective action had not been completed by the assigned due date. Closing repair tickets is a time-consuming manual process.

Alleged Records Violation #5: AT&T did not produce a training program demonstrating the required qualifications for its inspectors nor a list of required qualifications for its contracted inspectors.

AT&T Response: *BEGIN CONFIDENTIAL**

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II. Field Inspection – Alleged Violations

Alleged Field Inspection Violation #1:

- Location 02: Loose Hi-vis strip
- Location 08: The guy anchor is buried below grade
- Location 13: Loose AT&T equipment hanging on the pole
- Location 14: Pole leaning over 10%
- Location 15: Pole leaning over 10%
- Location 16: Pole leaning over 10%
- Location 17: Pole leaning over 10%
- Location 18: Pole leaning over 10%
- Location 22: Hi-vis strips were painted over
- Location 33: Pole leaning over 10%
- Location 34: There is an abandoned buddy pole
- Location 35: The communication lashing wire is loose/broken
- Location 38: The communication lashing wire is loose/broken
- Location 42: There is an abandoned buddy pole
- Location 47: There is an abandoned communication service pole
- Location 51: The communication lashing wire is loose/broken
- Location 52: The communication lashing wire is loose/broken
- Location 53: The communication lashing wire is loose/broken
- Location 54: Hi-vis strips are damaged
- Location 55: Hi-vis strips are missing
- Location 56: Hi-vis strips are damaged/missing
- Location 57: Hi-vis strips are damaged
- Location 58: Hi-vis strips are damaged
- Location 59: Hi-vis strips are damaged/missing

- Location 64: The guy anchor is buried below grade
- Location 71: The guy anchor is buried below grade
- Location 75: Pole leaning over 10%
- Location 92: The guy anchor is buried below grade
- Location 93: There is an abandoned guy anchor

AT&T Response: The alleged conditions were entered into AT&T’s RWM System to be worked in the field. The following locations will be addressed by the assigned due date:¹³

- Location 02: Due on 3/15/2025
- Location 08: Due on 3/15/2029
- Location 13: Due on 3/18/2029
- Location 14: Due on 3/18/2025
- Location 15: Due on 3/18/2025
- Location 16: Due on 3/18/2025
- Location 17: Due on 3/18/2025
- Location 18: Due on 3/18/2025
- Location 22: Due on 3/18/2025
- Location 33: Due on 3/18/2025
- Location 34: Due on 9/24/2024
- Location 35: Due on 3/18/2029
- Location 38: Due on 3/18/2029
- Location 42: Due on 3/18/2029
- Location 47: Due on 11/4/2026
- Location 51: Due on 9/22/2024
- Location 54: Due on 12/31/2024
- Location 55: Due on 12/31/2024
- Location 56: Due on 12/31/2024
- Location 57: Due on 12/31/2024
- Location 58: Due on 12/31/2024
- Location 59: Due on 12/31/2024
- Location 64: Due on 09/28/2026
- Location 71: Due on 3/22/2029
- Location 75: Due on 3/22/2025
- Location 92: Due on 3/22/2029
- Location 93: Due on 3/22/2029

For the following locations, AT&T is waiting on confirmation from its vendor that the field work is complete.

- Location 52: Due on 1/27/2024
- Location 53: Due on 1/27/2024

¹³ Throughout AT&T’s response, the noted “due” dates are based on entries made in AT&T’s RWM System, which calculates and assigns the due date pursuant to GO 95, Rule 18B(1)(a).

Alleged Field Inspection Violation #2:

- Location 21: There is an abandoned communication service drop
- Location 35: There is an abandoned communication service drop
- Location 47: There is an abandoned communication service drop
- Location 72: There is an abandoned communication service drop
- Location 75: There were abandoned lines down outside a school, AT&T created a Hazard Level 1 notification and notified local crew
- Location 88: There is an abandoned communication service drop
- Location 95: There is an abandoned communication service drop

AT&T Response: The alleged conditions were entered into AT&T's RWM System to be worked in the field. Location 75 has been completed in the field on November 30, 2023. All other locations will be addressed by the assigned due date:

- Location 21: Due on 3/18/2029
- Location 35: Due on 3/18/2029
- Location 47: Due on 3/18/2029
- Location 72: Due on 10/7/2026
- Location 88: Due on 3/22/2029
- Location 95: Due on 3/22/2029

Alleged Field Inspection Violation #3:

- Location 07: There is overgrown vegetation attached to the communication lines
- Location 42: There is strain and abrasion on the communication line

AT&T Response: The alleged conditions were entered into AT&T's RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 07: Due on 3/18/2029
- Location 42: Due on 9/18/2024

Alleged Field Inspection Violation #4:

- Location 66: The communication service is too close to the electrical service
- Location 68: The communication service drop is contacting the communication span
- Location 77: The communication and electrical service are attached too close on the pole

AT&T Response: The alleged conditions were entered into AT&T's RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 66: Due on 3/22/2027
- Location 77: Due on 3/22/2025

For the following location, AT&T is waiting on confirmation from its vendor that the field work is complete.

- Location 68: Due on 11/9/2023

Alleged Field Inspection Violation #5:

- Location 96 The communications line is tacked to the pole every four feet

AT&T Response: The alleged condition was entered into AT&T's RWM System to be worked in the field. It will be addressed by the assigned due date:

- Location 96: Due on 3/22/2029

Alleged Field Inspection Violation #6:

- Location 07 The communication service is less than 18 feet over the road
- Location 25 The communication span is low
- Location 31 The communication span is low
- Location 35 The communication span is low
- Location 40 The communication service is less than 18 feet over the road
- Location 51 The communication line is less than 18 feet over the road
- Location 66 The communication service is less than 18 feet over the road
- Location 91 The communication service is laying on the roof of the building

AT&T Response: The alleged conditions were entered into AT&T's RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 07: Due on 3/18/2029
- Location 25: Due on 9/18/2024
- Location 31: Due on 3/18/2027
- Location 35: Due on 3/18/2027
- Location 40: Due on 3/18/2029
- Location 51: Due on 9/22/2024
- Location 66: Due on 3/22/2027
- Location 91: Due on 3/22/2029

Alleged Field Inspection Violation #7:

- Location 23 Guy not properly secured, wrapped around a tree stump
- Location 31 The down guy is slack
- Location 64 The down guy is slack

AT&T Response: The alleged conditions were entered into AT&T's RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 23: Due on 3/18/2027
- Location 31: Due on 3/18/2029
- Location 64: Due on 9/28/2026

Alleged Field Inspection Violation #8:

- Location 06 The communication down guy is too close to the electrical secondary
- Location 46 The down guy is contacting the communication line
- Location 79 The communication down guy is too close to the communication service

AT&T Response: The alleged conditions were entered into AT&T’s RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 06: Due on 3/18/2029
- Location 46: Due on 9/18/2024
- Location 79: Due on 3/22/2029

Alleged Field Inspection Violation #9:

- Location 91 Down guy is missing sectionalizer

AT&T Response: The alleged condition was entered into AT&T’s RWM System to be worked in the field. It will be addressed by the assigned due date:

- Location 91: Due on 3/22/2029

Alleged Field Inspection Violation #10:

- Location 11 There is an unsecured cable out of the riser
- Location 72 Communication line coming out of riser is not secured to the pole

AT&T Response: The alleged conditions were entered into AT&T’s RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 11: Due on 3/18/2027
- Location 72: Due on 3/18/2029

Alleged Field Inspection Violation #11:

- 07 The pole has a step placed less than eight feet
- 35 The pole has a step placed less than eight feet

AT&T Response: The alleged conditions were entered into AT&T’s RWM System to be worked in the field. They will be addressed by the assigned due date:

- Location 07: Due on 3/18/2027
- Location 35: Due on 3/18/2027

Alleged Field Inspection Violation #12:

- Location 09 The communication enclosure is broken

AT&T Response: The alleged condition was entered into AT&T’s RWM System and has already been addressed. More specifically Location 09 has been addressed in the field, and the work package was closed on December 11, 2023.

Alleged Field Inspection Violation #13:

- Location 09 The ownership mark is faded

- Location 10 No ownership marking
- Location 13 No ownership marking

AT&T Response: The alleged conditions were entered into AT&T’s RWM System to be worked in the field. Regarding Location 09, see AT&T’s response to alleged Field Inspection Violation #12. The other locations will be addressed by the assigned due date:

- Location 10: Due on 3/18/2025
- Location 13: Due on 3/18/2025

III. Observations

Alleged Observation #1: During the field inspection, ESRB noted the third-party safety concerns listed in Table 20. While in the field, AT&T created and sent third-party notifications to the respective utilities for the items below:

Table 20: Third-Party Observations

Location	Observations
4	Ground wire exposed on electric distribution
08	Cable TV is missing a guy guard on the down guy
10	There is an open Cable TV enclosure
12	Abandoned electrical service
37	There is a communication service drop loosely attached to a building along a public sidewalk
44	Cable TV line is not secured to the pole, loosely supported by a bolt

Location	Observations
66	The Cable TV service is less than 18 feet over the road
70	Electrical service drop too close to communication span
72	Cable TV is missing a guy guard on the down guy and the anchor is pulling out of the ground
80	Cable TV abandoned service drop
91	The electrical ground is exposed
93	The electrical ground is exposed
95	The electrical ground is exposed

101	The electrical ground is exposed
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AT&T Response: AT&T does not agree that these alleged conditions trigger a notification requirement under GO 95, Rule 18A(3). Nevertheless, AT&T has notified Comcast and PG&E of these alleged conditions and documented these notices in AT&T's RWM System.