

ATTACHMENT B

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

ZITO MEDIA, L.P.,

Complainant,

v.

PENNSYLVANIA ELECTRIC COMPANY,

Respondent.

Proceeding No. 17-316
File No. EB-17-MD-006

REPLY DECLARATION OF TODD MCMANUS

I, TODD MCMANUS, declare as follows:

1. I am Manager of Outside Plant at Zito Media, L.P. (“Zito”), with a general office address of 102 South Main Street, Coudersport, PA 16915. I make this Reply Declaration in support of Zito’s Reply in Support of Pole Attachment Complaint (“Reply”) in the above-captioned case. I know the following of my own personal knowledge, and if called as a witness in this action, I could and would testify competently to these facts under oath.

2. I have served as Manager of Outside Plant for 11 years. In this role, I am responsible for Zito’s plant construction, including aerial plant construction using existing utility poles.

3. I have reviewed the allegations in the Reply filed in this proceeding and verify that they are true and correct to the best of my knowledge, information and belief.

4. It is common industry practice to conduct joint ride-outs as part of the pre-construction survey process to assess required make-ready work. Based on my experience, Verizon, Pennsylvania Electric Company (“Penelec”) south of Interstate 80, West Penn Power, Frontier,

Windstream, Empire Access, and National Grid, among others, incorporate joint ride-outs into their pole attachment application process. In addition, all of the electric utility co-ops with whom I have worked conduct joint ride-outs.

5. On behalf of Zito, I have interviewed, hired, and supervised contractors that perform pre-attachment survey work in connection with Zito's pole attachment applications. I am actively involved in evaluating (in consultation with Zito management) the terms and pricing governing Zito's relationship with its current contractor, Map Masters LLC. Additionally, I frequently review and provide feedback on the work produced by Map Masters.

6. Map Masters LLC performs field survey work in connection with Zito's pole attachment applications, collecting the pole number, street location, type and height of attachments on each pole, the height and class of pole, and (where appropriate) mid-span clearances.

7. Penelec's pole profile sheet does not request tension or mid-span clearance information (or include a place to enter such information). However, Zito's contractor Map Masters includes mid-span measurements on the profile sheet in the notes section in appropriate circumstances (such as for road crossings). If Penelec actually wants Zito to collect additional information, Zito would welcome resumption of an arrangement in which Penelec agrees to rely upon measurements by Map Masters and does not charge Zito for duplication by Penelec's contractor, Sigma.

8. Penelec's joint pole managers, Verizon, Frontier and Windstream, accept the Penelec profile sheets as completed by Zito's contractor, Map Masters, as standard and sufficient today, without collecting their own measurements.

9. On crowded Penelec poles that require make-ready work, Zito requests an “engineering check” to indicate that coordination on make-ready decisions is required.
10. Where pole tags do not exist and ownership is not clear, Zito errs on the side of including the pole in the application presuming that Penelec, as the owner, can easily identify poles it does not own. Additionally, Penelec has directed Zito to submit applications for all poles occupied by Penelec, even poles that Penelec does not own.
11. Zito’s careful route selection process is a multi-phase collaborative process among Zito’s plant managers and engineering contractor, Map Masters. Zito puts great effort into selecting the ideal pole line (where more than one route is available) and strives to avoid congested power poles.
12. Underground construction generally is not a viable alternative to aerial construction for Zito’s facilities, especially in Pennsylvania, where boring through bedrock and restoration expenses combine to make underground construction cost prohibitive.
13. Zito has implemented processes to avoid attachment to poles that have not yet been permitted.
14. I participated in a joint ride-out with Penelec for pole “DC705.” During that ride-out, I recorded a correction to the initial measurements of Zito’s contractor for that pole. The correction was to “raise de neutral 16.”

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

By: 
Todd McManus

Dated: January 2, 2018