ATTACHMENT D

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

COX COMMUNICATIONS LAS VEGAS, INC., *Complainant*, v. NV ENERGY, INC., *Respondent*.	File No.

DECLARATION OF GLENDA MILLS

I, GLENDA MILLS, declare as follows:

1. I am Manager, Construction Services – Las Vegas for Cox Communications Las Vegas ("CCI-LV"), with a general office address of 1700 Vegas Drive, Las Vegas, Nevada 89106. I make this Declaration in support of CCI-LV's Pole Attachment Complaint 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 been employed by CCI-LV for 20 years and have served as Manager, Construction Services for 1.5 years. In this role, I have responsibility for plant construction in the Las Vegas area.

3. I have reviewed the allegations made in the Pole Attachment Complaint filed in this proceeding as well as the exhibits and verify that they are true and correct to the best of my knowledge, information and belief.

4. In December 2012, NVE sought to unilaterally impose on CCI-LV new pole attachment and engineering standards and application requirements in a document entitled "Exhibit F – NVE LICENSE APPLICATION REQUIREMENTS" ("2012 License Application Requirements"). Attached hereto as Exhibit 1 is a true and correct copy of correspondence from NVE to CCI-LV, notifying CCI-LV of the 2012 License Application Requirements. NVE informed CCI-LV that the 2012 License Application Requirements were being imposed pursuant to Section 4.1.10 of the 1997 Agreement between CCI-LV and NVE, which states that pole attachments are subject to "[a]ny additional specifications of Licensor, as reasonably required in Licensor's sole judgment as may be required from time to time." (*See* Exhibit 1 to Declaration of Michael Bolognini dated December 17, 2014.)

5. Beginning August 20, 2014 and through November 14, 2014, CCI-LV submitted applications to NVE to overlash its previously permitted facilities attached to 137 NVE poles. Specifically, CCI-LV submitted applications on the following dates: August 19, 2014 (Ramirez Group, 531 7th Street, Garces & 8th); September 12, 2014 (Western Mailing, 530 E. Pamalyn, Pamalyn & Bermuda); September 16, 2014 (VZW DOT Koval & Flamingo 144ct, Koval & Flamingo); September 16, 2014 (CLV Derfelt SR CTR, 3343 W Washington, Washington & Rancho); October 29, 2014 (RRP96, 9112 Washington, Yale & Iowa, part 2); October 29, 2014 (RRP96, 9112 Washington, Washington & Decatur); October 14, 2014 (Cox, NFAA 10, Warm Springs, Pollock to Placid, Part 1 of 2); October 14, 2014 (Cox, NFAA 10, Warm Springs, Placid to Haven, Part 2); November 5, 2014 (3295 Fremont, Fremont/Sahara); November 5, 2014 (Marisa USA Inc., 3745 Losee Rd, Losee & Colton); November 5, 2014 (3660 Cinder Lane, Cinder Lane & Highland Dr); November 20, 2014 (COX, Nellis & Tropicana); November 19, 2014 (COX, United Health Care- 540 N Nellis Blvd, Nellis & Stewart); November 19, 2014

(Goodwill Industries, 2509 E Lake Mead Blvd, Lake Mead & Eastern). Attached hereto as Exhibit 2 are true and correct copies of the applications.

6. In the Loading Analyses conducted by PAR Electrical Contractors, Inc. ("PAR") on each of the 137 poles included in CCI-LV's applications to NVE (*see* Declaration of Gary Auvil dated December 17, 2014 ¶ 5), PAR applied the NESC strength and loading criteria for Grades B and C construction using O-Calc Pro, Structural Analysis Software for Utility Poles, licensed by Osmose Utilities Services, Inc. Attached hereto as Exhibit 3 are true and correct copies of the Loading Analyses.

7. The Loading Analysis revealed that 68 of the 137 poles (approximately half) included in CCI-LV's Applications currently fail the strength and loading requirements using the Grade B construction standard, prior to CCI-LV overlashing facilities attached to these poles. Eleven of the poles failed NESC required strength and loading requirements for Grade C construction standards.

8. The Loading Analysis shows that the average incremental load increase added by CCI-LV's proposed overlashing on the applications is less than 1 percent. Moreover, in no instance would CCI-LV's proposed overlashing cause any of the poles included on CCI-LV's application to come out of compliance with the strength and loading requirements for either Grade C or Grade B construction standards. In other words, CCI-LV could overlash all of its plant attached to NVE poles in its applications without causing the poles to come out of compliance with existing NESC Grade C or Grade B construction standards, yet NVE would hold up work on almost all of the applications until approximately half the poles are replaced.

9. On June 25, 2014, Patricia Ortwein (NVE's "Manager, Rule 9 Contract and Joint Use Administration") sent me a letter acknowledging the parties' "several opportunities to meet .

. . to discuss ways in which [NVE] and [CCI-LV] can move the pole attachment application process forward and still meet each company's goals and expectations" and reaffirming NVE's Grade B construction standard requirements set forth in the 2012 License Application Requirements. Attached hereto as Exhibit 4 is a true and correct copy of the June 25, 2014 letter.

10. NVE will not allow CCI-LV's proposed overlashing until *after* NVE replaces any poles that fail Grade B construction standards, with or without CCI-LV's proposed overlashing. Attached hereto as Exhibit 5 is a true and correct copy of a November 20, 2014 email from Ms. Ortwein to me stating that NVE "will not allow attachments to our facilities where the pole has failed analysis."

11. NVE will not commit to a timeframe for upgrading any of its poles that it contends must be replaced prior to CCI-LV attaching.

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: _____
Glenda Mills

Dated: December 17, 2014

EXHIBITS FILED
UNDER SEPARATE COVER
DUE TO ECFS SIZE RESTRICTIONS