

ATTACHMENT B

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

COX COMMUNICATIONS HAMPTON
ROADS, L.L.C.,

Complainant,

v.

DOMINION VIRGINIA POWER.

Respondent.

File No.

DECLARATION OF GREG PATTERSON

I, GREG PATTERSON, declare as follows:

1. I am the Construction Planner for Cox Communications Virginia (“Cox”), with a general office address of 1341 Crossways Boulevard, Chesapeake, VA 23320. I make this Declaration in support of Cox’s Pole Attachment Complaint against Dominion Virginia Power (“Dominion”) 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 in my current role for 15 years. In this role, I have responsibility for construction of Cox Communications Virginia plant, including aerial construction on utility poles.

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. Dominion is mandating that Cox relocate its facilities underground as part of its efforts to address issues with its own facilities. The two poles in dispute are located at 3657 Shore Drive and 3601 Shore Drive in Virginia Beach.

5. Dominion admits that relocation is for Dominion's own needs, and not because of any violations created by Cox. For example, in an email from Kelly Mansfield (Dominion) to me on July 10, 2014, Ms. Mansfield says that "[t]his work is part of our safety improvements between our distribution and transmission circuits. So it is internal Dominion required work." Attached hereto as Exhibit 1 is a true and correct copy of the July 10, 2014 email from Kelly Mansfield.

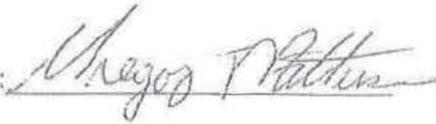
6. In an email from Matt Polson (Dominion) to me on July 11, 2014, Dominion reiterates this same position, stating that "Dominion will be needing Cox to underground there [sic] facilities between poles at 3657 Shore Dr. NJUNS ticket 1794636 due to new facilities Dominion will be installing which will cause Cox to not have the proper ground clearance needed to stay on the pole." Attached hereto as Exhibit 2 is a true and correct copy of the email string containing the July 11, 2014 email from Matt Polson (and relevant attachments).

7. On the pole located at 3601 Shore Dr., Dominion proposes to "lower everything 4' 2" to clear violation with transmission line and cut top of pole off so that only 28' 2" of pole sticks up above ground level." Exhibit 2 at 3 (construction prints for 3601 Shore Drive). Similarly, on 3657 Shore Dr., Dominion intends to "cut top of new pole off so only 32' sticks up above ground level." Exhibit 2 at 4 (construction prints for 3657 Shore Drive).

8. In a September 25, 21014 email from Lola Ausby (Dominion) to me, Ms. Ausby states that "Cox's agreement with Dominion is rental which means that Cox does not have reserved space on our poles. At anytime [sic] Dominion needs the space that Cox is renting, we can ask Cox to remove its attachments from our poles." Attached hereto as Exhibit 3 is a true and correct copy of an email string containing the September 25, 2104 email from Ms. Ausby.

9. The estimated cost to relocate the facilities at issue in the Pole Attachment Complaint is \$43,251.89. Attached hereto as Exhibit 4 is a true and correct copy of an October 1, 2014 letter I sent to Dominion containing the estimate.

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: 

Greg Patterson

Dated: January 21, 2015

EXHIBIT 1

From: Kelly Mansfield (VirginiaPower - 1) [<mailto:kelly.mansfield@dom.com>]
Sent: Thursday, July 10, 2014 2:35 PM
To: Patterson, Gregory (CCI-Virginia)
Cc: Parker, Robin (CCI-Virginia); Matt Polson (VirginiaPower - 1)
Subject: FW: Meet Matt Polson with Dominion to discuss relocation on Shore Dr.

Greg,

This work is part of our safety improvements between our distribution and transmission circuits. So it is internal Dominion required work. Cox will need to do what Matt instructs at this location at Cox expense.

Thanks

Kelly

Kelly L. Mansfield
Joint Utility Administrator
Dominion
2700 Cromwell Dr.
Norfolk, VA 23509
757-857-2928 Office
757-404-6275 Cell
kelly.mansfield@dom.com

Matthew Polson
Customer Projects Designer III

Eastern Regional Design
2700 Cromwell Dr. Norfolk, VA 23509
2nd Floor
Office 757-857-2886
Cell 757-619-8598
Fax 757-857-2835
E-mail matt.polson@dom.com

From: Patterson, Gregory (CCI-Virginia) [<mailto:Gregory.Patterson@cox.com>]
Sent: Thursday, July 10, 2014 1:54 PM
To: Matt Polson (VirginiaPower - 1)
Subject: Meet Matt Polson with Dominion to discuss relocation on Shore Dr.

Matt,

I just talk to Robin my supervise about what's going on out at 3657 Shore Dr. Robin need more information on what started this conversation and why a relocation is needed. Also she would like to know if there a way to reset your pole higher to prevent a relocation. Right now we have Fiber and Coax on the pole line in question and if we have to relocate then who will acquire the cast.

Thanks
Greg

From: Matt Polson (VirginiaPower - 1) [<mailto:matt.polson@dom.com>]
Sent: Wednesday, July 09, 2014 11:04 AM
To: Patterson, Gregory (CCI-Virginia)
Subject: Meet Matt Polson with Dominion to discuss relocation on Shore Dr.

Greg,

Per our conversation the address is 3657 Shore Dr. at 9:30am.

Matthew Polson
Customer Projects Designer III
Eastern Regional Design
2700 Cromwell Dr. Norfolk, VA 23509
2nd Floor
Office 757-857-2886
Cell 757-619-8598
Fax 757-857-2835
E-mail matt.polson@dom.com

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EXHIBIT 2

From: Patterson, Gregory (CCI-Virginia) [<mailto:Gregory.Patterson@cox.com>]
Sent: Tuesday, July 22, 2014 11:42 AM
To: Parker, Robin (CCI-Virginia)
Subject: Dominion relocation on Shore Dr

Robin,

Here is the info that you ask me to submit for relocation approval. There is more info below submitted by DVP.

Thanks
Greg

From: Matt Polson (VirginiaPower - 1) [<mailto:matt.polson@dom.com>]
Sent: Friday, July 11, 2014 11:47 AM
To: Patterson, Gregory (CCI-Virginia); Parker, Robin (CCI-Virginia)
Cc: Kelly Mansfield (VirginiaPower - 1)
Subject: RE: Meet Matt Polson with Dominion to discuss relocation on Shore Dr.

Greg,

This is a follow up to our meeting yesterday. As you know that Dominion will be needing Cox to underground there facilities between poles at 3657 Shore Dr. NJUNS ticket 1794636 due to new facilities Dominion will be installing which will cause Cox to not have the proper ground clearance needed to stay on the pole. Also Cox will need to underground the facilities at 3601 Shore Dr. as well, this was the other location that we looked at yesterday. Dominion will need to have Cox relocated by October 4th 2014 for both location so Dominion will have enough time to complete the work by the end of the year. The reason for this work is due to a survey done on the transmission line last year which identified several location that Dominion distribution line is in conflict with the transmission facilities and has to be corrected by the end of this year. If you have any question please feel free to call.

Matthew Polson
Customer Projects Designer III
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2700 Cromwell Dr. Norfolk, VA 23509
2nd Floor
Office 757-857-2886
Cell 757-619-8598
Fax 757-857-2835
E-mail matt.polson@dom.com

EXHIBIT 3

From: Lola Ausby (VirginiaPower - 1) [<mailto:lola.ausby@dom.com>]

Sent: Thursday, September 25, 2014 9:55 AM

To: Patterson, Gregory (CCI-Virginia)

Cc: Matt Polson (VirginiaPower - 1); Belinda Winstead (VirginiaPower - 1); Jay Lenhart (VirginiaPower - 6); Mike Graf (VirginiaPower - 1); Kelly Mansfield (VirginiaPower - 1)

Subject: Cox Communication

Greg,

I'm handling Kelly's work while she is out and I'm following up on our telephone conversation this morning regarding Cox removing its attachments from our poles in Virginia Beach. We are very concerned that Cox has put this project on hold seeing that you were notified in July to remove your attachments from our poles by October 1 (NJUNS Tickets 1798804 and 1794636). Cox's agreement with Dominion is rental which means Cox does not have reserved space on our poles. At anytime Dominion needs the space that Cox is renting, we can ask Cox to remove its attachments from our poles.

You stated that someone in your governmental affairs department would contact us next week, but you didn't know who that person would be. Please have your supervisor contact me regarding this project as soon as possible.

Thanks.

Lola S. Ausby

Dominion / Joint Use Administrator

200 Veeco Street, P.O. Box 99

Roanoke Rapids, NC 27870

Office: 252-308-1028 / Cell: 252-532-1707

Lola.Ausby@dom.com

EXHIBIT 4



5200 Cleveland Street
VA Beach, VA 23462

To: DVP
From: Patterson Greg – Cox Communications Hampton Roads, LLC
Date: October 1, 2014
Re: Dominion Power relocation on Shore Dr.

This letter is being generated to inform you that Cox Communications Hampton Roads, LLC have inspected the lines that you need Cox to re-locate on Shore Dr. The cost to relocate lines in this letter is covering the re-installation of our lines and splicing.

Contract Labor:	\$34,804.46
In-house Labor/Auto:	\$5400.96
Materials:	<u>\$3046.47</u>
Total:	\$43,251.89

If you have any questions please feel free to contact me at (757) 438-0584.

Sincerely,

Patterson, Greg
Construction Planner III



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fax: 757 222-8116
email: gregory.patterson@cox.com