

ATTACHMENT A

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

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

Complainant,

v.

DOMINION VIRGINIA POWER.

Respondent.

Proceeding No. 15-22
File No. EB-15-MD-001

SUPPLEMENTAL 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 Reply to Response to 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 Reply to Response to Pole Attachment Complaint filed in this proceeding as well as the exhibit and verify that they are true and correct to the best of my knowledge, information and belief.

4. Cox further clarifies that the facilities that it is being asked to relocate actually comprise two separate spans attached to four poles (one on either end of each span).

5. Dominion has also installed a new mid-span pole, seemingly to gain its own ground clearance, to which Cox has not sought to attach.

6. Cox notes that the estimated cost of removing its facilities from the poles in question is approximately 1 percent of the total cost of relocating its facilities underground.

7. Cox denies that \$43,000 is the final amount that may be owed as this dollar amount represents an estimate of the relocation costs. Cox raised additional points of concern regarding the summary of the meeting on December 16th including that Cox did not agree that the estimate amount was binding. Dominion acknowledged and agreed to these concerns in an email. Attached hereto as Exhibit 1 is the true and correct copy of an email from Brett Heather Freedson (Dominion counsel) to Maria Browne (Cox counsel) dated January 8, 2015.

8. I am not aware that Dominion has ever presented a bone fide development plan to Cox.

9. Dominion regularly replaces poles for its own needs and for those of its joint owners and joint users.

10. Dominion routinely installs mid-span poles to improve clearance for itself and its joint user.

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: March 16, 2015

EXHIBIT 1

From: Brett Heather Freedson [mailto:BFreedson@eckertseamans.com]

Sent: Thursday, January 08, 2015 5:39 PM

To: Browne, Maria

Cc: Michael A. Graf; Mike Roberts (VirginiaPower - 1); Brandon Stites (VirginiaPower - 1); Anthony Barni (VirginiaPower - 1); Horace P. Payne (Services - 6); Brett Heather Freedson

Subject: RE: Cox - Relocation of Shore Drive Pole Attachments

Maria,

I assume that the note below refers to the December 18, 2014 letter sent to you by Brandon Stites of DVP. Having not participated in the business meeting between DVP and Cox two days prior, I discussed these clarification points with DVP, to ensure that the parties have a mutual understanding of what was, and what was not agreed with regard to relocation Cox's attachments on the Shore Drive poles. Each of Dominion's meeting attendees confirmed that the December 18, 2014 letter is a complete and accurate representation of the parties' resolutions. I noticed that Cox's meeting attendees were not copied on this email exchange. If those individuals disagree with any of the statements made in the December 18, 2014 letter, it is appropriate to include them in this dialogue. In response to the points below:

It is Dominion's understanding that Cox will remove its attachments from the Shore Drive Poles no later than March 1, 2015. Based on this understanding, Dominion has committed to NERC a deadline for completing adjustments to its electrical lines. If there is any question as to whether Cox will undertake removing its attachments from the Shore Drive Poles in the near term, please let us know. Dominion does not intend to reimburse Cox for the costs associated with re-locating the Shore Drive attachments underground, unless the FCC so orders. However, Dominion will guarantee reimbursement of all actual, reasonable costs associated with re-locating the Shore Drive attachments underground, exclusive of betterment, to the extent that such costs are properly documented. Dominion understands that the estimate of \$43,000.00 provided by Cox is not binding, but will not reimburse any costs that are not properly documented.

Please let me know if there is any need for further discussion.

Thanks,

BRETT HEATHER FREEDSON

ECKERT SEAMANS CHERIN & MELLOTT, LLC

1717 Pennsylvania Avenue NW · Washington DC 20006

Direct (202) 659.6669

bfreedson@eckertseamans.com