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June 22, 2005

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Telecommunications Services Inside Wiring - Customer Premises Equipment CS Docket No. 95-184; Implementation of the Cable Television Consumer Protection and Competition Act of 1992 - Cable Home Wiring MM Docket No. 92-260**

Dear Ms. Dortch:

Attached is a Declaration by Daniel VanRoekel, senior outside plant engineer for Verizon, which describes the costs and difficulties associated with accessing cable wiring located behind sheetrock in a multiple dwelling unit. Please include this Declaration in the record of the above-referenced proceeding.

Sincerely,

Attachment

cc: Bill Johnson
Deborah Klein
John Norton
Karen Kosar
John Kiefer
Alison Greenwald

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Telecommunications Services Inside Wiring	)	CS Docket No. 95-184
	)	
Customer Premises Equipment	)	
	)	
Implementation of the Cable Television Consumer Protection and Competition Act of 1992: Cable Home Wiring	)	MM Docket No. 92-260
	)	
	)	

DECLARATION OF DANIEL J. VANROEKEL

1. My name is Daniel J. VanRoekel, and I am a senior outside plant engineer for Verizon Avenue, an affiliate of Verizon that focuses on providing communications and video services to residents of multiple dwelling units ("MDUs").
2. I write to explain why accessing cable wiring behind sheetrock is a difficult and expensive process that requires modification and/or damage to an existing structural element and that most MDU owners simply will not permit on their properties.
3. I have worked for Verizon Avenue or its predecessor since April 2000. While at Verizon Avenue, I have worked with cable designs for both new construction and overbuilds of MDUs all over the country. Prior going to work for Verizon Avenue, I worked in the telecommunications industry for 34 years, including approximately 20 years in the field of outside plant engineering.
4. The sheetrock used to form the walls or ceilings of an MDU is a preexisting structural element that is significantly modified and/or damaged when an installer is required to go behind the sheetrock in order to access cable wiring.

5. I will provide a description of how a cable installer would access existing coaxial cable that is located behind sheetrock, 12 inches outside of a living unit in an MDU. The scenario I'll describe assumes a relatively straightforward case. Many MDUs would be more complicated and more expensive. This scenario also assumes that the MDU owner will allow this type of work to be performed in the first place – something that most MDU owners will not permit given their inconvenience, safety and aesthetic concerns associated with allowing this type of work to be performed in the common areas and hallways of an MDU.

6. The first step in accessing cable wiring that is located behind a sheetrock wall or ceiling would be to inspect the site in order to get a sense of how the cabling is likely to run from any particular unit back to the feeder distribution – often located in a utility or riser closet somewhere in the hall of an MDU.

7. Next, an installer would have to determine where the cable wiring is likely to be located behind the sheetrock. This process is more complicated than using a something like a simple stud-finder, because there are many cables following the same or similar paths to serve the various living units in an MDU. Therefore, the most accurate and effective method for locating the correct cable would be to use a tone generator. This is a piece of equipment that is attached to a cable and generates a certain frequency that is run along the cable. Another piece of equipment is then used to locate the cable that is emitting that frequency. This is a highly accurate method for locating – within approximately 6 inches – a particular cable behind sheetrock.

8. In order to be efficient and safe, the process of locating wiring with a tone generator requires two people – one to operate the equipment that is attached to the correct cable and that generates a tone, and another person to roam the halls or common areas with another piece of equipment that detects the tone. Whether or not this method may be used, however, depends on whether the installer has access to the correct cable wiring, either inside the subscriber's unit or at some other location, such as in a hallway closet where the home run wire attaches to the feeder cable. Attaching this equipment to the wiring in the living unit would be an inconvenience to the resident who would have to be at home to provide access. Attaching the tone generator equipment in the riser closet, however, might not be possible if that cable belongs to the incumbent provider.

9. If, for whatever reason, a tone generator cannot be used, then other methods for locating the wiring would be less precise and more expensive, and would involve some degree of trial and error. This could involve cutting multiple holes into the sheetrock at possible locations for the wiring until the correct wire is found.

10. The approximate labor costs of locating the cable – assuming that a tone generator can be used and that there are no complications – would be approximately $30. That cost could vary based on building construction, however. For example, this process could be more complicated and expensive where the MDU is a high rise in which multiple floors of the building are served by a common cable distribution point. Also, where a tone generator cannot be used for some reason, the costs of locating the wiring using other methods would be considerably more expensive.

11. Next, an installer would need to cut approximately a 9" x 9" hole in the ceiling or wall where the cable is located in order to access the home wiring that goes into the unit and attach a new home run wire at that point. A hole of this size is necessary in order to gain sufficient access to the wiring to perform the splicing work that would be required. A smaller hole might allow the installer to view the wiring at the demarcation point, but would not be large enough to permit the installer to perform the work required to attach the new home run wire to the home wiring.

12. If a larger hole or multiple holes were required, or if the installer discovered that other sections had previously been removed from the sheetrock, then a much larger section of sheetrock might have to be replaced in order to maintain the requisite fire rating for the wall or ceiling as required by building codes or by MDU owners' insurance carriers.

13. In order to remove the section of sheetrock to access the wiring, the installer would score the square and then punch out the section of sheetrock. The installer could not use a saw to remove the section of sheetrock because of the risk of cutting other cables, wires or electrical power lines. In cutting the hole, the installer would have to take steps to ensure the safety of the property and residents. Many MDU owners impose significant restrictions on how and when this type of work may be performed.

14. The approximate labor costs for cutting the hole would be $20, not including additional costs that might result from MDU owners' restrictions.

15. After the hole is cut, the installer would need to run a new home run cable from the location where the feeder cable is located, such as the riser closet, to the location where the splicing will be performed. This too can be an expensive and difficult

process in many MDUs, depending on how the MDU is configured. Obviously, without doing this, there would be no way to connect to the existing home wiring at the demarcation point. After running the home run cable, the installer would splice it to the existing cable.

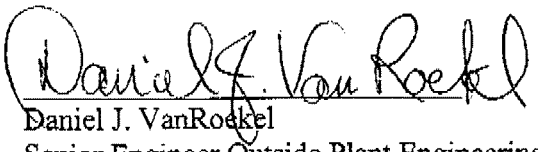
16. Finally, the installer would employ the standard methods for restoring the sheetrock to its previous condition in a manner that would satisfy the MDU owners and meet building codes. This process would include steps such as bracing a replacement piece of sheetrock in place, applying tape and mud, sanding, and painting/wallpapering.

17. The restoration of the sheetrock is the most labor-intensive and expensive part of the whole process in that it requires multiple visits. Time must be permitted for the repair work to dry, set, etc. before additional steps in the restoration can be taken. The prices to restore the sheetrock to an acceptable condition may vary from $200 for a basic, uncomplicated situation to $1000 or more for high-end MDUs or for MDUs where larger sections of must be repainted or wallpapered. This cost would be in addition to the roughly $50 required to locate the wiring and cut the initial hole in the sheetrock for access. Also, these costs reflect the work that would be required to access wiring behind sheetrock in order to connect to a single unit in an MDU and would be repeated each time a subscriber in a different unit seeks service (though some cost savings may be possible in situations where an entire MDU switches to a competitive video provider at the same time).

18. While the process described above is less expensive than accessing wiring located behind brick or cinderblock, it is still significantly more difficult and expensive than accessing wiring located in hallway molding. At most, the cost for accessing wiring

located in molding would likely be a third of the costs of going behind sheetrock, even when compared to the best case, cheapest scenario with the sheetrock. And the costs for going behind molding would never approach the costs associated with repairing sheetrock in many, high-end MDUs. This cost differential is because accessing wiring in molding requires no modification or repair of a preexisting structural element – as does going behind sheetrock – and does not require multiple trips in order to restore the premises. Instead, accessing wiring in molding is a simple process that generally only requires that the molding be snapped off its retainer in order to access the embedded wiring and snapped back on once work is completed.

I declare under the penalty of perjury that facts stated herein are true and correct to the best of my knowledge, information, and belief.



Daniel J. VanRoekel
Senior Engineer Outside Plant Engineering
Verizon Avenue

Dated: June 22, 2005