

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

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Federal Communications Commission  
Office of Secretary

FLORIDA CABLE  
TELECOMMUNICATIONS ASSOCIATION,  
INC., COX COMMUNICATIONS GULF  
COAST, L.L.C., *et. al.*

*Complainants,*

v.

GULF POWER COMPANY,

*Respondent.*

ORIGINAL

E.B. Docket No. 04-381

To: Office of the Secretary

Attn: The Honorable Richard L. Sippel  
Chief Administrative Law Judge

**COMPLAINANTS' EXHIBIT LIST**

The Florida Cable Telecommunications Association, Inc., Cox Communications Gulf Coast, L.L.C., Comcast Cablevision of Panama City, Inc., Mediacom Southeast, L.L.C., and Bright House Networks, LLC ("Complainants"), pursuant to the Presiding Judge's *Prehearing Order* of October 1, 2004 and the Scheduling Order, 05M-60, of December 16, 2005, respectfully submit the following list of exhibits in connection with the hearing in this case<sup>1</sup>:

1. List of Documents and Standards Relied upon by M.T. Harrelson (Harrelson Deposition, Ex. 2.)
2. Photographs taken by M.T. Harrelson on May 24-25, 2005, with descriptive list (list included as Harrelson Deposition, Ex. 3)
3. Photographs taken by M.T. Harrelson in February 2006

<sup>1</sup> Pursuant to the order of the Presiding Judge, all exhibits will be serially numbered when they are submitted in binders with indices and tabs.

No. of Copies rec'd  
List A B C D E

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4. Notes prepared by M.T. Harrelson re: Complainants' 50 poles (Harrelson Deposition, Ex. 4)
5. Enlargement of Osmose Chart of 40 Poles (Harrelson Deposition, Ex. 6)
6. Excerpts from "Recommended Practices for Coaxial Cable Construction and Testing," Second Edition (Harrelson Deposition, Ex. 7)
7. National Electrical Safety Code, C2-2002
8. National Electrical Code 2005 Handbook
9. Southern Company Overhead Distribution Construction Standards manual
10. Gulf Power's "CATV Permitting Procedure," Gulf Power Bates Nos. 810-814
11. Gulf Power's Specification Plates C1-C11, Gulf Power Bates Nos. 815-825
12. Gulf Power's "CATV Permit Record," Gulf Power Bates Nos. 2310-2404
13. Gulf Power Information on Average Numbers of Communications Attachments, Gulf Power Bates Nos. 2181-2206
14. Pole Information re: Comcast poles listed in Complainants' 50 Pole Identification (Deposition Ex. 8 to Depositions of Complainants)
15. Pole Profiles re: Brighthouse poles listed in Complainants' 50 Pole Identification (Deposition Ex. 15 to Depositions of Complainants)
16. Pole Information re: Cox poles listed in Complainants' 50 Pole Identification (Deposition Ex. 22 to Depositions of Complainants)
17. Pole Profiles re: Mediacom poles listed in Complainants' 50 Pole Identification (Deposition Ex. 31 to Depositions of Complainants)
18. Comcast-Gulf Power 1995 Pole Attachment Agreement (Ex. 29-Dunn Deposition)
19. Letter dated August 17, 1998 to Ben Bowen, with Transfer Agreement between Gulf Power and Mediacom, with 1995 Pole Attachment Agreement between Gulf Power and U.S. Cable Television Goup, L.P.
20. Cox 1997-Gulf Power Pole Attachment Agreement (Att. C to Dunn Affidavit)
21. TWC Cable Partners-Gulf Power Pole Attachment Agreement (Att. D to Dunn Affidavit)

22. Letter from M.R. Dunn to Keith Gregory dated May 17, 2000, with attached proposed *Cox-Gulf Power Pole Attachment Agreement (Bowen Ex. 12)*
23. Letter from Michael Dunn to Keith Gregory dated April 30, 2001 with attachment stating new semi-annual pole attachment rate will be \$20.30 (\$40.60 per year)(Bates No. 004004 COX)
24. Letter from Keith Gregory to Andy McQuagge dated August 11, 2003 re: Cox will continue to pay pole attachment rent at contractually negotiated semi-annual rate of \$3.10 (\$6.20 per year), with attachments (Bates Nos. 003827-3833 COX)
25. Letter from Michael Dunn to Jane Belford, Mediacom dated October 12, 2000 re: Gulf stating that new semi-annual pole attachment rate will be \$19.03 (\$38.06 per year)(Bates No. 001085-86 MED)
26. Letters from Bruce Gluckman, Mediacom to Michael Dunn dated March 30, 2001 and June 28, 2000 re: Mediacom will continue to pay pole attachment rent at contractually negotiated semi-annual rate of \$2.99 (\$5.98 per year)(Bates Nos. 001081-1084 MED)
27. Letter from Michael Dunn to Ronnie Colvin, Comcast dated September 19, 2000 re: Gulf stating that new semi-annual pole rate will be \$19.03 (\$38.06 per year)(Bates Nos. 002408-12 COM)
28. Letter from Ronnie Colvin to Michael Dunn dated October 24, 2000 re: Comcast will continue to pay pole attachment rent at contractually negotiated semi-annual rate of \$2.825 (\$5.65 per year)(Bates Nos. 002521-2523 COM)
29. Letter from Michael Dunn to Bruce Burgess (Time Warner/Brighthouse dated October 26, 2001 re: Gulf stating that new semi-annual rate will be \$20.30 (\$40.60 per year)(Bates Nos. 000120-122 BRI)
30. Letter from Gary Matz (Time Warner/Brighthouse) to Michael Dunn dated Nov. 9, 2001 re: Time Warner will continue to pay pole attachment rent at contractually negotiated semi-annual rate of \$3.15 per pole (\$6.30 per year)(Bates Nos. 000115BRI)
31. Osmose Proposal for Joint Use Audit (January 14, 2005)
32. Osmose Statement of Work, Joint Use Audit (Mar. 4, 2005)
33. Revised Appendices A, B, and C (Version 1.3) to Osmose Statement of Work
34. Gulf Power Company's April 2005 Status Report on Pole Survey

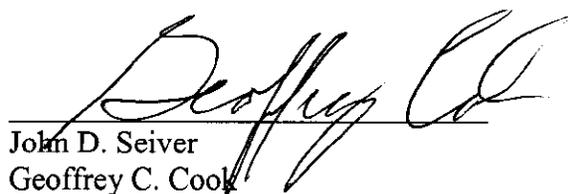
35. Gulf Power Company's May 2005 Status Report on Pole Survey
36. *Gulf Power Company's June 2005 Status Report on Pole Survey*
37. Response to Gulf Power Company's June 2005 Status Report on Pole Survey
38. Gulf Power Company's July 2005 Status Report on Pole Survey
39. Gulf Power Company's August 2005 Status Report on Pole Survey
40. Gulf Power's Preliminary Report on Pole Survey (September 2005)
41. Gulf Power's Final Report on Pole Survey (October 2005)
42. Gulf Power Company's Project Status Reports on Osmose Joint Use Audit
43. Gulf Power's Proffer of "Full Capacity" Pole Evidence (Oct. 17, 2005)
44. Osmose Maps, Gulf Power Bates Nos. 2475-2495, with enlargements
45. Gulf Power's Fifty-Pole Identification (Jan. 20, 2006) with photographs
46. Complainants' Identification of Utility Poles (Jan. 27, 2006)
47. Correction to Complainants' Identification of Utility Poles (Feb. 6, 2006)
48. Gulf Power "Replacement Cost" Calculations (Kravtin Deposition, Ex. 4)
49. Complainants' Calculations of Maximum Cable Pole Attachment Rate (Kravtin Deposition, Ex. 6)
50. FERC Form 1's
51. Complainants' Complaint
52. *Alabama Power Co v. FCC*, 311 F.3d 1357 (11<sup>th</sup> Cir. 2002).
53. *Alabama Cable Telecommunications Assoc. v. Alabama Power Co.*, 16 F.C.C.R. 12209 (2001).
54. Gulf Power's Petition for Reconsideration and Request for Evidentiary Hearing (June 23, 2003)
55. Gulf Power's January 8, 2004 "Description of Evidence"
56. Hearing Designation Order, DA 04-3048 (Sept. 27, 2004)

57. Complainants' Petition for Clarification (Oct. 20, 2004)
58. Gulf Power's Preliminary Statement of Alternative Cost Methodology (Dec. 3, 2004)
59. Complainants' Preliminary Statement on Alternative Cost Methodology (Dec. 3, 2004)
60. Complainants' Responses to Gulf Power's First Set of Interrogatories and Document Requests (April 18, 2005)
61. Gulf Power's Responses to Complainants' First Set of Interrogatories to Respondent (April 18, 2005)
62. Gulf Power's Responses to Complainants' First Set of Requests for Production of Documents (April 18, 2005)
63. Gulf Power's Supplemental Responses to Complainants' First Set of Interrogatories to Respondent (August 26, 2005)
64. Gulf Power Company's Responses to Complainants' Second Set of Requests for Production of Documents (August 26, 2005)
65. Gulf Power's Itemization of Evidence (Aug. 31, 2005)
66. Gulf Power's Second Supplemental Responses to Complainants' First Set of Interrogatories (Sept. 30, 2005)
67. Gulf Power's Supplemental Responses to Complainants' Second Request for Production of Documents (Sept. 30, 2005)
68. Gulf Power's Second Supplemental Responses to Complainants' Second Request for Production of Documents (Dec. 9, 2005)
69. Complainants' Motion to Compel Gulf Power Company's Response to Interrogatories and Requests for Production of Documents (Complainants' First Motion to Compel)(July 11, 2005)
70. Discovery Order, FCC 05M-38 (August 5, 2005)
71. Complainants' Motion to Compel (Complainants' Second Motion to Compel)(Aug. 31, 2005)
72. Second Discovery Order, FCC 05M-44 (Sept. 22, 2005)

73. Gulf Power's Motion to Reconsider Limited Portions of Second Discovery Order (Sept. 30, 2005)
74. Complainants' Motion to Compel Production of Documents and Further responses to Interrogatories for which the Presiding Judge Twice Required Supplemental Responses or, in the alternative, for Evidentiary Rulings or Dismissal" (Complainants' Third Motion to Compel)("Oct. 7, 2005)
75. Third Discovery Order, FCC 05M-56
76. Complainants' Motion to Dismiss (Aug. 1, 2005)
77. Gulf Power's Response to Complainants' Motion to Dismiss (Aug. 29, 2005)
78. Complainants' Responses to Gulf Power's Second Set of Interrogatories and Document Requests (Nov. 18, 2005)
79. Joint Use Agreement between Gulf Power Company and BellSouth Telecommunications, Inc. (Jan. 1, 2002), Gulf Power Bates Nos. 2089-2112
80. Joint Use Agreement between Gulf Power Company and Sprint-Florida, Inc. (Jan. 1, 2002), Gulf Power Bates Nos. 2113-2131
81. Joint Use Agreement between Gulf Power Company and GTC, Inc. (Jan. 1, 2002), Gulf Power Bates Nos. 2132-2148
82. Pole Attachment Agreement between Gulf Power Company and School District of Escambia County (May 21, 2002), Gulf Power Bates Nos. 2153-2162
83. Letter dated April 8, 2002 from Mike Puentes to Eric Daniels re: make-ready payment, copied to Ben Bowen, Rex Brooks, and Peanut Johnson, Gulf Power Bates No. 1517
84. Letter dated February 5, 2002 from Alan H. Steele to Eric Daniels re: make-ready payment copied to Ben Bowen, Gulf Power Bates No. 1519
85. Correspondence and e-mail between Adelphia Business Solutions and Gulf Power, Gulf Power Bates Nos. 1860-64
86. Public Service Commission of Florida, Docket No. 0500 93-EI, Order No. PSC 05-0250, PAA-EI, March 4, 2005
87. Notice of Proposed Agency Action, Order Requiring Each Electric Investor-Owned utility to Implement Eight-Year Pole Inspection Cycle and Requiring Reports, Florida Public Service Commission Docket No. 060078-EI, Order No. PSC-06-0144-PAA-EI (Feb. 27, 2006)

88. Case Study on Competitive and Sustainable Growth (April 30, 2002)
89. E-mails from October 24, 2005 through November 3, 2005 between the parties re: attempts to stipulate to Gulf's make-ready practices.
90. E-mails from February 10, 2006 through February 14, 2006 between the parties re: Gulf Power's filing on February 10, 2006.
91. Gulf Power's Supplemental Filing Regarding its Fifty Pole Identification (Feb. 10, 2006)

Respectfully submitted,



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HOUSE NETWORKS, L.L.C.**

March 31, 2006

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing, *Complainants' Exhibit List*, has been served upon the following by electronic mail and via Federal Express or hand-delivery (FCC recipients) on this the 31st day of March, 2006:

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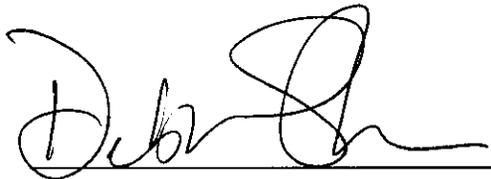
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