

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

DT 07-011

JOINT PETITION BY VERIZON NEW ENGLAND, INC., ET AL.  
AND FAIRPOINT COMMUNICATIONS, INC.  
TRANSFER OF NEW HAMPSHIRE ASSETS OF  
VERIZON NEW ENGLAND, INC. ET AL.

TESTIMONY OF STEVE PARKINSON,  
DIRECTOR OF PUBLIC WORKS  
ON BEHALF OF THE  
CITY OF PORTSMOUTH

AUGUST 1, 2007

**Testimony of Steve Parkinson on behalf of the City of Portsmouth**

**DT07-011**

1 INTRODUCTION

2 **Q. Please state your name and business address.**

3 A. My name is Steve Parkinson, P.E., and my business address is Department of  
4 Public Works, 680 Peverly Hill Road, Portsmouth, NH 03801.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by the City of Portsmouth as the Director of Public Works. I have  
7 held this position for over 18 years.

8 **Q. Please described your professional background.**

9 A. I am a licensed engineer. Prior to my employment with the City of Portsmouth I  
10 was employed with the New Hampshire Department of Transportation.

11 **Q. Do you have concerns relative to the proposed transaction?**

12 A. The City has had concerns regarding Verizon's performance for several years  
13 prior to the initiation of this docket. Those concerns centered primarily around  
14 Verizon's responsiveness (or lack thereof) in moving timely its facilities during  
15 municipal construction projects. The City participated in PUC Docket DM 05-  
16 172. The City is concerned that the transfer of assets to Fairpoint will not  
17 alleviate and would potentially worsen the performance problems related to the  
18 moving of telephone utilities. Fairpoint representatives have made a number of  
19 positive statements regarding their willingness to improve performance with  
20 regard to municipal projects. The concern is whether Fairpoint will have the  
21 resources to make good on the promises.

1 **Q. Could you describe how the City interacts with utilities during municipal**  
2 **construction projects?**

3 A. The City's consulting engineers routinely contact utilities during the early design  
4 phase for any project impacting utilities. That contact continues throughout the  
5 design phase as may be necessary. The City has, by and large, found that at the  
6 design phase, there is usually good cooperation with the utility companies.

7 As the project moves to the construction phase, the City of Portsmouth  
8 Department of Public Works invites utility representatives to a meeting each  
9 spring to identify and review municipal projects scheduled for that year. Invitees  
10 include PSNH, Verizon, Northern Utilities, Comcast and the municipal water and  
11 sewer divisions. Utility representatives are provided with a project list and map.  
12 Until last year, Verizon representatives did not frequently attend the annual  
13 meeting or construction meetings, even on major projects. Although, PSNH has  
14 the principal pole setting responsibility for the City of Portsmouth, all utilities are  
15 invited to discuss construction timing, respond to questions et cetera. In addition,  
16 municipal contractors are required to coordinate with the utilities as the  
17 construction job proceeds. By and large, both the City of Portsmouth's  
18 Department of Public Works and the City's contractors report that PSNH is  
19 responsive and effective.

20 **Q. What problems have you encountered with Verizon's past performance?**

21 A. The principal problem relates to Verizon's lateness in moving its equipment after  
22 a new pole is set. The City rarely has an issue with PSNH. New poles are set,  
23 PSNH transfers its facilities, and then the work languishes because Verizon fails

1 to move its facilities in a timely manner. On at least one occasion, the City's  
2 Legal Department had to become involved to resolve issues related Verizon's  
3 late action. That project concerned the City's improvements to Ocean Road in  
4 the spring of 2005. Verizon's late response was beginning to cause construction  
5 delays which, had they not been resolved, would have resulted in the City  
6 incurring substantial additional costs. The City's Legal Department contacted  
7 Verizon representatives to address the delay. After that contact, Verizon sent a  
8 crew to transfer some of its facilities to the new poles. Those poles and facilities  
9 that needed to be addressed immediately were handled and construction delays  
10 were avoided. Double poles for non-critical work areas remained on Ocean  
11 Road for well over a year.

12 In August of 2006 the Public Works Department again had to call on the  
13 Portsmouth Legal Department to try to bring to Verizon's attention pole issues  
14 that were affecting three different construction projects. Attached as Exhibit 1 is  
15 the e-mail from the City's Legal department to Verizon. Verizon was able to  
16 resolve the pole matters in September of 2006 and the City avoided construction  
17 delays and related costs. All of the construction projects identified in the e-mail  
18 had been identified during the spring meeting and the Verizon engineer had been  
19 involved in the design of the project. The breakdown in action is on the Verizon  
20 construction side. From all appearances, there are inadequate construction  
21 resources. It is my understanding from the data responses and technical  
22 sessions in DM-05 172 that allocation of construction resources is a critical issue.

23 **Q. Does the municipality have any issue with regard to double poles?**

1 A. When construction is not delayed due to late removal of Verizon facilities,  
2 there are often issues of "double poles". This occurs when there is no imminent  
3 need to have the old pole removed to complete construction, but it should come  
4 down within a reasonable time once the new pole is set. PSNH has routinely  
5 signaled that it is prepared to pull the old pole as soon as Verizon relocates its  
6 facilities to the new pole. Frequently these double poles sit because of Verizon's  
7 inaction until such time as there is such a critical number that it comes to the  
8 attention of the City Council and action is taken. For example, in early 2004, the  
9 City's Legal Department contacted Verizon to address the issue of double poles.  
10 After that contact, Verizon (working in coordination with PSNH) proposed a  
11 schedule, acceptable to the City, for transfer of the Verizon facilities and the  
12 removal of many of the double poles.

13 In early 2007, the number of double poles again began to reach critical  
14 numbers. In order to bring the issue to the attention of Verizon and facilitate  
15 removal, the City prepared a detailed list of double pole locations.

16 In February of 2007, the City's Legal Department provided to John  
17 Mercurio and Ryan Tyler, both of Verizon, an updated list of the double poles.  
18 See attached Exhibit 2. Verizon has made progress on many of the double poles  
19 identified. Curiously, the double poles on Oxford Street remain although facilities  
20 have been removed. See attached as Exhibit 3 photo taken July 18, 2007.

21 Ideally the City's Legal Department should not have to get involved in the  
22 routine relocation and removal of poles and facilities.

1 **Q. What do you recommend Fairpoint do to improve municipal road project**  
2 **coordination?**

3 A. The following would be helpful: Attendance at the City's annual spring meeting;  
4 Dedication of sufficient construction resources; Removal of obsolete equipment  
5 when new equipment is placed on a pole so that future transfers to new poles  
6 can be performed more efficiently and timely; and Increased communication  
7 between Fairpoint engineers and construction managers. It is the City's  
8 perception that while Verizon engineers knew that a project was moving forward  
9 to final design and scheduled to commence, the construction side lacked  
10 information until it received notice from PSNH that the new pole has been set.

11 **Q: Do you have any concerns with regard to pole licenses?**

12 A I have two areas of concern. The first is that Fairpoint continue to permit the City  
13 to use space on the poles for its fire alarm systems. The City has had a relatively  
14 good relationship to date regarding the use of poles for the City's fire alarm  
15 systems and we would like to see that continue. Obviously as technology  
16 changes over time we would hope for continuing cooperation to ensure the safety  
17 of the public. Second, it would be helpful if there were better sharing of pole and  
18 conduit location information. To the extent that Fairpoint uses technology to  
19 locate its poles and conduits electronically, the City would benefit from the  
20 sharing of that data. The City has much of its own infrastructure mapped  
21 electronically and it would facilitate design and the provision of emergency  
22 services to have greater utility information.

23 **Q. Did you consult with anyone in preparation for filing this testimony?**

1 A. I consulted with David Allen, Deputy Director of Public Works, Peter Rice, City  
2 Engineer, Water and Sewer Division, Tom Richter and Dave Desfosses, both of  
3 whom are Project Managers, and the Legal Department.

4 **Q. Does this conclude your testimony?**

5 A. Yes.

**From:** Suzanne Woodland  
**To:** Whitaker, Joy  
**Date:** 8/22/2006 4:33 pm  
**Subject:** Transfer of Verizon equipment from poles

**CC:** Pierce, Erle

On August 3, 2006, I sent an email to Tom Marini regarding construction projects involving relocation of poles. He indicated that you are now the contact person as the New Hampshire Construction Manager and that he had forwarded my email to you and I would hear back. I did not hear anything. This is to advise that the Verizon facilities on the poles referenced in that email of Aug 3 have not yet been addressed. I summarize them again below. The City would appreciate Verizon's attention to them. It is my understanding from the public works department that all other utilities are off.

1. 1 Pole on Crescent Way - Work has been underway for a couple of weeks and contractor has been working around it. The pole is going to be unstable if it is not already so. The public works crew doesn't think you have much up there to transfer and should be quick.
2. Newcastle Avenue - High profile project. New poles are set and all other utilities are off and have been since before my email on Aug 3. This is work along the seawall and an important roadway. Contractor is mobilizing and is scheduled to start Sept 5.
3. 1 pole at the corner of South Street and Miller Avenue. Contract has been signed and the construction will be starting next week. New pole was set ages ago and just your facilities are left. The pole will be in the travel way once construction starts. There was an accident at that intersection just last week so this is a priority project as well.

Our public works department has tried to coordinate with Verizon representatives but the only person who returns calls is the engineer who replaced Chuck Rankie. We are getting very limited/no contact or assurances from the construction side that Verizon will be there to get the work done on time. I would appreciate it if you could give these issues your attention.

Suzanne Woodland  
Assistant City Attorney  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801  
603-610-7240



**From:** Suzanne Woodland  
**To:** Mercurio, John; ryan.p.taylor@verizon.com  
**Date:** 2/1/2007 11:23 am  
**Subject:** Double Poles

**CC:** Richter, Thomas

The double pole situation is beginning to reach the stages of unacceptable again. Attached is word document of all the poles we have identified (Newcastle Avenue excepted due to the ongoing work). We are aware of the proposed sale to FairPoint but unless/until that transfer happens we hope this double pole work is not completely neglected. I've send this list to both of you because of the FairPoint sale and the PUC investigation, but I should be clear that John Mercurio has not seen this list previously or had an opportunity yet to see what if anything he can do. There are a number of poles that are not aging gracefully, such at those on Marcy Street. From the City's perspective, the following poles are generating citizen complaints and need the most attention:

The poles on Lincoln Avenue - It is a busy roadway through a nice residential area with mature trees. The new poles are by and large right next to the old poles so hopefully the transfer of facilities should not be difficult. The Lincoln Ave road work was completed over two years ago.

The poles on Ocean Road - This road project was finished in 2005. We were told that there is not enough slack in the Verizon line to move it easily over an existing tree and onto the new poles. The existing poles and lines are causing a problem for a resident at 545 Ocean Road who cannot park his truck in his driveway because of the height/tangle of old and new facilities.

Oxford Road - It is my understanding that Verizon has removed all of its facilities but that the poles are still there and the 60 days has run under IOP 10.

Suzanne Woodland  
Assistant City Attorney  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801  
603-610-7240

Pole #	Street	Notes	Tel #
32-9	500 Maplewood Ave		
196/3	Alley # 6		
132/11A	Baycliff		
132/11B	Baycliff		
94/18	Broad St.		55/16
504-4	Central Ave		
165/25B	Dennett St.		1180/2
127C/8	Falkland Way	195/8 ?	
195/7	Falkland Way		
195/8	Falkland Way		
20-2	Fleet St		
26/4Y	Gosling Rd.		
26/4A	Gosling Rd.		
284/6	Harding St.		9910/6
186-1	Hunters Hill		
2/84/	Isington St.		78/85
23	Islington	Near the old library	
2/59/	Islington St		
242/7	Islington St.		7803/1
41/1A	Islington St.		81B/1
Verizon	Islington/RT 1 BP		
170/22	KearsargeWay		
170/5	KearsargeWay		127/6
85-3	Kent St		
84-8A	Lincoln Ave		
84-7A	Lincoln Ave		
84-3	Lincoln Ave		
306-7	Little Harbor School	Listed as Haven Court	
98/2	Madison St.		New 99/7
59-9	Marcy St		
59-15	Marcy St		
59/4	Marcy St.		
59/30	Marcy St.		
40-7	McDonough St		
No number	Mill Pond Ln	across from # 61	NET & T 315/3
171-4	Mill Pond Ln		
132/5	Newcastle Ave.		
132/4	Newcastle Ave.		
240-2	Oxford Ave		
240-3	Oxford Ave		
240-4	Oxford Ave		
780-5	Oxford Ave		
204-6	Oxford Ave		
145-23	Peverly Hill Rd		
145-10	Peverly Hill Rd		
181/1	Pine St.		317/2
22-9A	Porter St	On Private Property	
167-4	Prospect St		
167-3	Prospect St		
167-1	Prospect St		
66-1	Prospect St		

135/1	Ridges Ct.		166/1
135/2	Ridges Ct.		166/2
135/3	Ridges Ct.		166/3
130-2	So. School St		
5-18	South St		
5/67A	South St.		786/1
165-26B	Stark St		
186-3	Thorton St		
920/11	Woodbury Ave.		
920/12	Woodbury Ave.		
	Ocean Road		
	Ocean Road		
	Ocean Road		

EXHIBIT 3

