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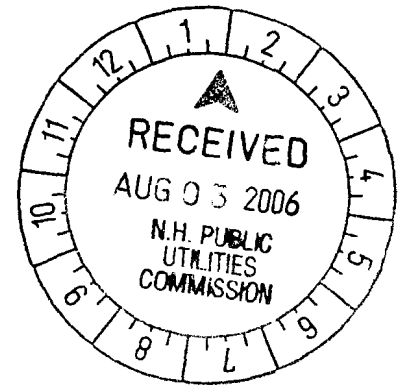
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August 3, 2006

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utility Commission
21 South Fruit Street, Suite 10
Concord, NH 03301



Re: DM 05-172 Generic Investigation into Utility Poles
Work Product - Topic 1: Emergency Management

Dear Ms. Howland:

Attached for filing are an original and eight copies of the Work Product for Topic 1: Emergency Management in the above-referenced matter.

This Work Product identifies issues, summarizes discussions and outlines issues for the Commission to consider regarding the emergency management of utility poles. All participants in the docket had an opportunity to submit comments on the circulated draft work product. Final edits were made by Staff.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call me at 603-271-6030.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Fabrizio".

Lynn Fabrizio
Staff Attorney

cc: Service List

DM 05-172 Generic Investigation into Utility Poles
Work Product – Topic 1: Emergency Management

This work product identifies issues, summarizes discussions and outlines issues for the Commission to consider regarding emergency management of utility poles.

Participants in the February 17, 2006, and March 9, 2006, technical sessions on Topic 1 included:

- Public Service Company of New Hampshire (PSNH)
- National Grid (National Grid)
- Unitil Energy Systems (Unitil)
- Verizon New Hampshire (Verizon)
- New Hampshire Local Government Center (NHLGC)
- Municipalities of Exeter, Hanover, Keene, Newmarket, Portsmouth, Raymond, Salem, Seabrook and Stratham
- New Hampshire Department of Transportation (NHDOT)
- New Hampshire Electric Cooperative (NHEC)
- TDS Telecom (TDS)
- New Hampshire Telephone Association (NHTA)
- Office of the Consumer Advocate (OCA)
- Staff

Discussions concerned inter- and intra-utility communication regarding emergency situations, as well as utility communications with others in emergencies, emergency callout procedures, emergency response procedures and the timely removal of hazardous poles. Three fundamental principles regarding key aspects of emergency communications and response procedures were agreed upon. Two issues for consideration by the Commission were identified. The writing group for Topic 1 consisted of Staff, Verizon and the NHLGC. All participants had an opportunity to submit comments on the circulated work product. Final edits were made by Staff.

I. Utility Communications with Non-Utilities

Issue:

Municipal, county and state emergency personnel direct most calls for assistance only to the electric company after a pole accident, unaware that they should be calling Verizon as well.

Discussion:

When a highway emergency occurs, the state's Incident Command System is engaged and an Incident Commander takes control of the emergency scene. The Incident Commander, who is responsible for all aspects of public safety, relays all communication through local, county or state emergency dispatchers, depending on the location of the accident. Emergency dispatchers normally call the electric company to come to the scene and make it safe, but make far fewer calls to Verizon. According to Verizon, only 16% of the emergency calls received at its Emergency Response Center (ERC) are from emergency personnel, while 73% of the calls to Verizon's ERC originate from the electric company joint owner of the pole(s) in question, often after the electric company has responded to the scene. The bulk of the emergency calls Verizon receives come from the electric companies, rather than from the Incident Commander.

In the electric companies' and Verizon's shared franchise areas, pole setting and maintenance responsibilities are divided. Approximately half of the towns are the pole-setting and maintenance responsibility of the electric companies and the other half are the responsibility of Verizon. Because electric companies are typically the only pole owner initially notified by emergency response personnel, they are uniquely positioned for emergency responses in their maintenance areas; the fact that they get notification early in an incident by emergency personnel allows for minimized response time and the

ability to start restoration work. Verizon is many times unaware of a pole emergency until electric company personnel call them from the scene. When a pole emergency occurs in a Verizon maintenance area and the pole requires replacement, the lack of direct notice to Verizon by emergency responders can delay the start of restoration work. As with electric companies, direct notification of Verizon by emergency responders should allow Verizon to minimize its response time and start restoration work earlier.

Conclusions:

For the purposes of this work product, an emergency has been defined in a narrow or individual sense; it is an event occurring at a single location that requires a public safety response by fire departments, emergency medical services, hazardous material responders, environmental responders, police departments, towing and recovery personnel, public works and highway personnel, utilities or any combination of the above. Such an event typically involves a utility pole or other utility plant and may involve loss of utility service.

The Incident Command System adopted by state agencies and local municipalities assigns clear command and control procedures, but what is lacking is incident management protocol for pole emergencies that directs first responders to make contact with *both* electric and telephone utilities at the earliest stages of response. First responders are typically personnel from local police or fire departments. All parties agreed that response time could be improved if state or local emergency personnel were to contact both Verizon and the relevant electric company at the earliest opportunity during all pole emergencies.

During the course of the technical sessions, the parties developed three principles designed to summarize positions on key aspects of emergency communications and emergency response procedures. The first, directed at emergency communications, sets forth expectations that notification from emergency response personnel should change:

Principle 1:

In an emergency both the electric company and the telephone company should be notified by the appropriate municipal, county or state dispatch personnel based on direction from the Incident Commander at the pole accident scene regardless of maintenance areas identified in joint operating agreements.

The parties agreed that the utilities, in association with the Public Utilities Commission and the NHLGC, need to develop and present an educational and outreach program for emergency personnel that underscores the need to communicate early on with both the telephone company and the electric company on pole emergencies. The safety of everyone involved at the accident scene can be enhanced only with improved communication protocols.

II. Inter- and Intra-Company Communication

Issue:

Clear communication between the electric utilities and Verizon is a critical component of a coordinated response to a pole emergency once both are notified by emergency response personnel. What is the state of inter- and intra-company communication between them? In addition, prompt and clear communication between the utilities and licensees whose equipment is attached to damaged poles is necessary to ensure the timely transfer of all licensee equipment when required. How is that communication conducted during emergency incidents?

Discussion:

The electric companies and Verizon agreed that inter-utility communications are generally good between joint pole owners. The only concern was that occasionally a

company receiving an emergency call does not inform the joint pole owner that an emergency incident has occurred.

Neither the electric companies nor Verizon expressed any problems with intra-company communications within their respective companies that could impair effectiveness in emergency management of utility poles.

When the electric companies and Verizon recognize that licensee equipment must be moved or transferred during a pole emergency, the electric utilities are responsible for contacting licensees in electric maintenance areas, while Verizon contacts licensees in its maintenance areas. The utilities have the ability to move or transfer licensee attachments and invoice the licensees for the work, but Verizon asserts that the burden of much of the transfer work falls on Verizon as its facilities are attached below that of the licensees and Verizon cannot complete its work without attending to licensee equipment transfers.

Conclusions:

The electric companies and Verizon agreed that when a company received an initial call from emergency personnel, it would contact the joint pole owner to ensure that both utilities were aware of the incident.

The parties had no suggestions for improvement in intra-company communications.

The electric companies and Verizon agreed to make best efforts to communicate with licensees in a timely manner when licensee attachments are involved in an emergency pole accident.

III. Emergency Callout Procedures

Issue:

The electric companies and Verizon have procedures in place for emergency callout in cases of pole emergencies. Do those procedures adequately prepare the utilities for timely and consistent response?

Discussion:

PSNH's Customer Services Division call center handles all PSNH emergency calls. The company has six on-call coordinators throughout the state for emergency activation efforts. PSNH's technicians must live 20 minutes or less from their assigned garage and approximately 23 technicians, or 12% of the force, is on paid standby and able to react to emergency calls at all times.

National Grid handles emergency calls and dispatches personnel from its Customer Contact Center. National Grid does not pay employees to stand-by for emergency response but uses a second shift, 24-hour trouble shooters and a rotating on-call system for supervisors. The company requires personnel to live within a reasonable distance of their reporting garages.

Unitil handles emergency calls and dispatches its personnel from its Customer Service Center. Unitil has four technicians and two supervisors on standby after business hours and requires its personnel to live within an 18-mile radius of their reporting locations.

In addition, the electric companies utilize contract crews as required to supplement line forces.

Verizon follows a different model than the electric companies, one which has been its practice for decades, although the number of crews has been reduced and a

number of garages in the state have been closed. Verizon's procedure is described as follows. Emergency calls during business hours are handled through several call centers while its ERC handles emergency calls and dispatches technicians during non-business hours. Verizon has no technicians on paid standby or on-call. Verizon technicians do not have to live a certain distance or a maximum time from their reporting garages. Once notified of an accident, Verizon ERC managers use an overtime list – those with the lowest overtime are called first – to systematically call technicians starting at the garage covering the accident scene and proceeding through subsequent garages until they solicit a sufficient number of technicians to respond to the emergency.

Verizon does not have field supervisors on standby but asserts that they are available at any hour for immediate emergency response. Verizon and electric company data responses indicate that, despite the fact that Verizon has no provisions in its labor contract for the use of contract crews for emergency response and its next opportunity for contract negotiations is not until 2008, Verizon has utilized contract crews to respond to emergency situations. Verizon indicated that it is committed to negotiate with contract companies to ensure that additional contract crews are available to meet its responsibilities for emergency callouts. However, Verizon did not propose to adopt a “stand by” model with a “close proximity” concept for call-out procedures similar to that used by the electric companies.

Conclusions:

The electric companies generally prepare for emergency response by requiring that their personnel live in a reasonable or close proximity to their reporting stations, pay

their technicians for standby or employ additional work shifts and utilize contract crews to supplement their forces

Verizon's historic system of polling technicians to meet its emergency responsibilities differs from the callout process used by the electric utilities. Verizon does not require that its technicians live a specific distance from reporting garages, nor does it utilize paid standby or additional shifts to prepare for emergency response. Verizon asserts that it will use managers and contract crews where required to supplement its technician workforce in further designing an organizational structure ready to respond to emergencies.

There is disagreement about whether Verizon's emergency callout procedures result in timely and consistent responses adequate for emergency requirements. Verizon asserts that its emergency callout procedures are adequate for emergency requirements, while electric companies assert that Verizon's emergency callout procedures are not adequate for emergency requirements and can have associated negative impacts.

IV. Emergency Response

Issue:

The emergency response time objectives and response performance of the electric companies and Verizon are different. Are they adequate for the requirements of all of the stakeholders in an emergency situation?

Discussion:

PSNH requires its technicians to report to the garage in 30 minutes in response to any emergency call. PSNH has an overall emergency response time objective for all emergency calls, including pole emergencies, of 64 minutes which is measured from the receipt of initial call at PSNH's Customer Service Division call center to arrival at the

trouble scene. PSNH's technicians actually averaged 42 minutes in 2005 from receiving incoming notification to arrival at scenes involving broken poles or down lines.

Response time objectives are the same regardless of whether the incident occurs in an electric or telephone maintenance area.

National Grid has no time objective for its technicians to report to their garage after a callout but expects the technicians to report to the trouble scene within 60 minutes after being notified. National Grid's technicians averaged 63 minutes in 2005 from receipt of initial calls at its Customer Contact Center to arrival on-scene. As in the case of PSNH, National Grid's response time objectives are the same regardless of whether the incident occurs in an electric or telephone maintenance area.

Unitil requires its technicians to report to their garage in 30 minutes in response to any emergency call. The company does not have a response time objective for on-scene arrival but has calculated the average response time from receipt of initial call at its Customer Service Center to arrival on-scene for 2005 was 53 minutes. Unitil's response time to an emergency does not vary by maintenance area.

Verizon requires its technicians who accept an emergency work assignment to respond immediately to their work station and then to the emergency scene. Verizon has produced data (collected in a ten month period in 2005) that demonstrated a 142 minute average response time to the trouble scene for southern New Hampshire and a 122 minute response time to the trouble scene for northern New Hampshire, yielding a statewide average of 131 minutes. This response is measured from the time the ERC receives the initial call to the time the technicians arrive on scene. Verizon asserts that it manages technician vacation time, training time and time off for other purposes to ensure it covers

the needs of the business, including callouts. However, discussions indicated that call-out goals nonetheless are not being met.

The electric companies and municipalities argued that different response standards among utilities are not appropriate and may result in different restoration times for adjacent towns and within a city like Manchester, where the Merrimack River divides the city into separate electric and telephone maintenance areas. Electric customers in Verizon's maintenance areas may receive slower restoration than those electric customers who live in the electric companies' maintenance areas. The electric companies assert that this results in a lower level of service provided to electric customers in non-electric company maintenance areas.

The municipalities also argued that a single response time standard for all utilities, one that ensures the safety of emergency personnel on site, supports their efforts at accident scene recovery and ensures that the free flow of traffic can quickly return to normal.

Verizon disputed the need to match the response times of the electric companies, stating that in some cases Verizon crews must wait until the accident scene is made safe by the electric company. The electric companies stated that they need Verizon crews early in the restoration process to set new poles in Verizon maintenance areas or move or support telephone cable in all maintenance areas.

There have been instances where Verizon has failed to respond to the scene due to an inability of its ERC to secure technicians. Verizon has stated that it is contractually obligated to call technicians in a primary or secondary garage to fairly distribute overtime and assignment of work requirements (regardless of a particular garage's response level).

Because of experience with Verizon's delayed (or no) response, Unitil technicians bring a new pole to every emergency site in Verizon's maintenance areas so they can set it in the event Verizon doesn't respond or responds too slowly (according to Unitil's standards). PSNH has an agreement to set poles in Verizon's maintenance areas after a two-hour wait for Verizon crews, and provided instances in 2005 where it had done so. Verizon stated that it will supplement its forces where necessary to meet its emergency obligations.

Conclusions:

When a pole accident occurs, it is imperative that the utility responsible for the maintenance area arrive on site as soon as possible in case a new pole must be set or to make the scene safe for emergency responders by supporting the existing pole or performing temporary repairs. A new pole provides a solid foundation for utility equipment transfers, allows utility service restoration where affected, enhances emergency personnel safety and shortens the time that highway service is interrupted.

The parties discussed the circumstances under which each company should routinely respond and crafted the following Principles 2 and 3. Verizon crafted Principle 2; the electric companies crafted Principle 3.

Principle 2:

In Verizon maintenance areas, both Verizon and the electric companies shall dispatch personnel when notified of an emergency by the appropriate municipal, county or state dispatch personnel based on direction from the Incident Commander at the scene. In a calendar year Verizon shall respond to the emergency scene in an average time of 120 minutes and attempt to respond to 70% of all emergency calls within 90 minutes from the time of request to on-site arrival for those emergencies not occurring during major weather events.

Principle 3:

In electric company maintenance areas, electric companies shall dispatch personnel when notified of an emergency by the appropriate municipal, county or

state dispatch personnel based on direction from the Incident Commander at the scene. In a calendar year electric companies shall respond in an average time of 60 minutes from the time of request to on-site arrival for those emergencies not occurring during major weather events.

The electric companies agreed that both companies should dispatch personnel in Verizon's maintenance area and committed to the electric company response time set forth in Principle 3. However, the electric companies and municipalities believe that the response time objective should be the same for both electric and Verizon maintenance areas.

Verizon agreed to meet the response time articulated in Principle 2, but asserted that it was currently unable to achieve a response time of 60 minutes due to the lack of a residency requirement or mandatory standby provisions in its labor contract. Verizon disagreed that its crews need to arrive at accident scenes in the same time interval as the electric companies, noting that at times they must wait for the electric crews to make the scene safe. Verizon asserted that this, in fact, is a rare occurrence. Verizon further noted that the 70% objective for response in 90 minutes that it set for itself in Principle 2 is a challenging objective that the company will strive to achieve.

The parties were unable to reach consensus on the issue of a common response time objective for the electric companies and Verizon. The lack of consensus arose in part from differences in procedures, as discussed in section III.

V. Timely Replacement of Hazardous Poles

Issue:

In some circumstances the electric companies and Verizon effect repairs to a pole damaged in a pole accident with the intention of replacing it at a more opportune time. There is disagreement among the parties as to the proper time interval to replace the repaired (hazardous) pole.

Discussion:

The timing of the replacement of a damaged pole is typically handled differently by the electric companies and Verizon. In electric company maintenance areas, a damaged pole is usually replaced during the emergency. There are instances, however, in both the electric companies' and Verizon's maintenance areas when, due to a number of factors, a damaged pole is made "safe" using temporary repairs during the emergency by either the electric company or Verizon rather than replaced immediately. The electric companies and the municipalities argued that a damaged pole "made safe" by electric crews or a Verizon crew on an emergency callout remains hazardous and that it should be replaced as soon as possible. The electric companies agreed that ten days would be the maximum timeframe within which such a pole would be replaced. The municipalities also argued that the term "make safe" is inappropriate in these circumstances as the repaired pole is not structurally sound and may now be more of a safety hazard than it was before the accident. Verizon argued that since the pole has been temporarily repaired, the replacement is now a candidate for normal scheduling and can be set when Verizon's schedule allows. Verizon provided no maximum timeframe within which its normal scheduling would ensure that such a temporarily repaired pole would be replaced.

Conclusions:

If emergency communications and response times improve in the future, fewer poles may fall into this category because more will have been replaced during the emergency event. However, at this time the electric companies and the municipalities do not agree that the replacement of hazardous poles in Verizon's maintenance areas can be delayed until Verizon can schedule the work.

VI. Issues for Commission Consideration

Verizon has pledged to support improved emergency response times in the State of New Hampshire. Verizon asserts that it is making a good faith attempt to decrease its average time of arrival in emergencies. However, the electric companies and the municipalities expect Verizon, as a joint owner of the poles, to respond as quickly as the electric companies do in electric company maintenance areas. The electric companies argued that Verizon's inability to respond as quickly as they do disadvantages certain electric customers; the municipalities argued that the safety of first responders and the free flow of traffic is compromised when different response standards exist.

Improvement in Verizon's response times in its maintenance areas may eventually reduce the number of hazardous poles created when the electric companies temporarily repair damaged poles.

- **The Commission should consider whether it is in the public interest to allow different emergency response times or whether Verizon and electric companies should be compelled to meet the same response time objective.**
- **The Commission should consider whether it is in the public interest to allow Verizon the discretion to replace damaged but temporarily repaired poles (considered hazardous by some) when their schedule allows or whether to compel Verizon to replace them as soon as possible after the incident.**