

SAVE-A-HOUSE

FACSIMILE TRANSMITTAL SHEET

TO: Ms. Debra Howland	FROM: Carol Cord
COMPANY: NHPUC	DATE: 11/28/2005
FAX NUMBER: 603-271-3878	TOTAL NO. OF PAGES INCLUDING COVER: 10
PHONE NUMBER: 603-271-2431	SENDER'S PHONE NUMBER: 786-385-4439
RE:	YOUR REFERENCE NUMBER:

URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

Copy for Ms. Howland



SAVE-A-HOUSE
Affordable Housing Through Preservation

November 28, 2005

VIA FACSMILE AND CERTIFIED MAIL

Ms. Jill Wurm
Verizon-New England, Inc.
900 Elm Street
19th Floor
Manchester, NH 03101



Dear Ms. Wurm:

Thank you for your reply dated November 23, 2005. Your letter is not as responsive as I had hoped, however, and I feel it is necessary to clarify points due to some of the incorrect statements expressed in your letter.

Save-A-House's Director of Operations first contacted Mr. Dave Kestner, Outside Planter Engineer for Verizon, by telephone on or about February 9, 2005. Mr. DeSilvio outlined the scope of the Merrill House project to Mr. Kestner. Mr. Kestner was very uncooperative. Without an on site inspection, Mr. Kestner informed Mr. DeSilvio that Verizon has several cables that contains 2,500 pairs of wires at that location including fiber-optic cables. He had estimated without inspection or a good faith cost analysis that the cost would be approximately \$30,000.00 - \$40,000.00. This high cost was due to the requirement that Verizon would have to cut and then re-splice the wires in order to provide clearance. Mr. Kestner estimated that at least a week would be needed to complete the work according

After thinking over Mr. Kestner's comments Mr. DeSilvio made several follow-up telephone calls. Mr. DeSilvio inquired of Mr. Kestner if there were any other way to temporarily remove the wires so as to provide Water Street access for the Merrill House. More specifically, Mr. DeSilvio suggested lowering the wires to the ground so that the Merrill House could simply roll-over them - with proper protective safeguards in place. Mr. Kestner stated that cutting the wires was the only solution to the problem and furthermore, he stated emphatically that lowering the wires could not be done. Since Mr. Kestner would not provide any cooperation or help, Mr. DeSilvio, an engineer with eight years experience at AT&T, decided to do the necessary research himself. Most disturbing to Mr. DeSilvio was Mr. Kestner's lack of cooperation and obstructive attitude. Regardless of the possible solution presented to Mr. Kestner by Mr. DeSilvio, Mr. Kestner would disregard any and all possibilities in a manner that was intended to discourage Mr. DeSilvio.

While in Miami, Mr. DeSilvio, asked several of the 21 Green Street neighbors, including an engineer, to take photographs along the complete route from the Merrill House and surrounding area to the final destination site at 21 Green Street. More

specifically he asked for detail photographs of the telephone poles, wires and any potential obstructions along the route. Mr. DeSilvio then spent considerable time analyzing the photos, aerials shots, and other information available to him, and was able to draft an engineered solution outlining an alternative plan than that which was offered by Mr. Kestner. Mr. DeSilvio's engineered solution included detailed images, descriptions and a web page containing hyperlinks to detailed photographs, which outlined the alternative plan. The proposed plan did not require splicing of the wires, but simply the temporary removal of the wires from the poles using the technology – wire harnesses – that is already in place for that very reason.

Armed with this new information and solution, Mr. DeSilvio contacted Mr. Kestner once again on March 8, 2005. Mr. DeSilvio concluded, based on the conversation that Mr. Kestner would not even look at the proposed solution forwarded to him. I have attached the proposal for your review. Since Mr. DeSilvio was not getting any cooperation from Mr. Kestner, I called Ms. Polly Brown, President and CEO for Verizon New Hampshire. I spoke with her assistant, Marian. I explained to her the difficulty we were having in getting Mr. Kestner to at least look at the material Mr. DeSilvio had concerning a cheaper alternative to splicing the wires.

Marian immediately put me in touch with Lisa Thorn. I explained the situation and finally was able to meet with Mr. Kestner at the site on or about March 22, 2005. At the meeting, Mr. Kestner stated that he was out at the site the day before with his supervisor. They had determined that the wires could indeed be dropped. After walking the route, Mr. Kestner informed me that he required \$500.00 to provide a cost estimate of the work that would be required to drop the lines. Upon questioning the charge, Mr. Kestner informed me that it was listed in the rates on file at the New Hampshire Public Utility Commission (hereafter "PUC"). I found the charge to be excessive, especially since Mr. DeSilvio had done Mr. Kestner's job in engineering a solution. I decided to check with the NHPUC to see how this charge was listed. I could not find it. I spoke with the rate department and they had never heard of this charge. Of course, I am sure you are familiar with the New Hampshire State Law Title XXXIV Chapter 378 Section 378:1 that states:

378:1 Schedules. – Every public utility shall file with the public utilities commission, and shall print and keep open to public inspection, schedules showing the rates, fares, charges and prices for any service rendered or to be rendered in accordance with the rules adopted by the commission pursuant to RSA 541-A; (emphasis added).

My request to see the charges for this service of providing a quote in accordance with New Hampshire State Law was denied by Verizon. I later received a call from you concerning the charge of \$500.00. I questioned the charging of such a fee since I could not find it listed anywhere at Verizon's or PUC's web site. I informed you that neither Unitil nor Comcast charged any fees for simply providing a quote. Your attitude was very uncooperative. Neither you

nor Mr. Kestner allowed me to inspect Verizon schedules showing the rates, fares, charges and prices for any services rendered or to be rendered to the public.

I then called Mr. Ivan Seidenberg, Chairman of the Board and CEO of Verizon. I spoke with his assistant, Cassandra. I requested from her the information concerning the legality of the \$500.00 charge. She promised she would have you fax me the schedules showing the rates, fares, charges and prices for any services rendered or to be rendered to the public that cover the requested work.. On April 21, 2005, I received a fax from you which included a copy of the state law concerning equality of rates. It was not what I had asked for. Verizon still refused to comply with New Hampshire State Law Title XXXIV Chapter 378 Section 378:1.

Since we had wasted nearly two months of time and money trying to receive a detailed quote from Verizon, I finally capitulated and sent a check for \$500.00 to Mr. Dave Kestner. I then expected a detailed quote as had been promised. After more research and numerous calls to the PUC, you finally agreed not to charge me the \$500.00 fee. However, Verizon did cash the check contrary to our agreement. As of this date, I have not received a refund from Verizon. On May 17, 2005, Mr. Kestner sent via fax the requested quote, more than three months since Mr. DeSilvio initially contacted Mr. Kestner. I have enclosed it for your review.

The quote listed a price that was outrageous and lacked specificity which would allow me to verify the charges against what was approved by the PUC. Furthermore, the quote was virtually useless because it was not firm. Mr. Kestner's quote stated that the job might actually cost more and, if it did, Save-A-House would then be invoiced for the additional amount upon completion of the work. Additionally, the job description was inaccurate and included more work than what Mr. Kestner, Mr. DeSilvio and I discussed at our meeting on March 23rd 2005.

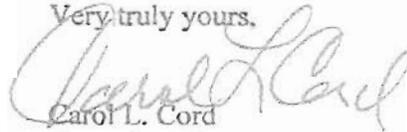
I had other concerns about the accuracy of the Verizon quote. For instance, at the March 2005 meeting, Mr. Kestner stated that he would need two bucket trucks including other equipment for the job. Subsequent to the March 2005 meeting with Verizon, Mr. DeSilvio and I met with Mr. Chuck Lloyd of Unitil. Mr. Lloyd stated that Unitil would provide one of the bucket trucks needed. But I was unable to confirm from the quote provided by Mr. Kestner that the Verizon quote included only one bucket truck.

Since there are to be three (3) different utility companies involved in this job, I requested a meeting with representatives from all of the companies. The purpose of the meeting was to go pole by pole, each company describing what each had to do. This would help to reduce any potential double billing. For example, Comcast itemized the costs in detail so as to provide a separate cost for police detail

Verizon has refused to temporarily remove its wires on November 30, 2005, I will present my petition to the Selectmen from the Town of Exeter.

It is unfortunate that Verizon has resorted to defying New Hampshire State Statutes by refusing to produce a quote that would allow me to compare the charges and for refusing access to schedules showing the rates, fares, charges and prices for any services rendered or to be rendered to the public. The stonewalling, the lack of cooperation, the questionable campaign by its employees to slander my name, its attempt to cause harm to Save-A-House in its business dealings with another public utility, and its absolute defiance of New Hampshire State Law concerning the temporary removal of Verizon's wires has forced me to seek relief from the Town of Exeter's Selectmen.

Very truly yours,



Carol L. Cord
Executive Director

Cc: Mr. Charlie Tucker, Esquire
Mr. Greg Michael, Esquire
Mr. Russ Dean, Town Manager
Mr. Ivan Seidenberg, CEO Verizon
Ms. Polly Brown, President Verizon
Ms. Heather Hughes, Unitil
Mr. Scott Wade, Unitil
Ms. Debra Howland, Executive Director, NHPUC
Ms. Anne Ross, Consumer Advocate, OCA

Enclosures



Picture 1

Above in **Picture 1** is shown a rough outline of where we believe wire support poles are currently located along the Water street going north toward Newfields. Each pole supports three-phase power, Comcast cable service, town alarm service and Verizon telephony cables. There are four poles designated with alpha characters "a", "b", "c" and "d".



Picture 2

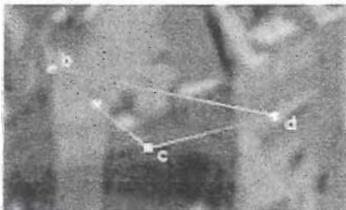
The Verizon telephony cables consists of three wires: (1) fiber optic path; (2) another fiber optic path; (3) 2500 twisted wire telephone pairs. These wires are arbitrarily designated above in Picture 2 as wire-1, wire-2 and wire-3 without concern as to which service is carried on the cable. These three wires present a formidable problem as they block the Merrill House from gaining easy access to Water street. We believe that the additional wires including three-phase power, Comcast cable service and town alarm service may be easily “disconnected” to provide access to Water street.

We have sought alternatives routes that we hoped would remove the necessity to cut the Verizon wires. One possible scenario had us moving the Merrill House in an circuitous route around the building previously occupied by the Exeter Newsletter coming to Water Street through the southern parking lot. This did not solve our wire-2 and wire-3 blockage, however.

It is now thought that if the Verizon wires were “dropped” from their telephone pole harnesses as shown below, then this would provide enough slack in the lines to along the Merrill House to pass over the wires directly to Water street.



If wires 1-3 are disconnected from their harnesses and laid upon the ground from pole-d through pole-a, we should find that enough slack may be gotten from the lines such that the Merrill House may be “driven” over the wires. These wires carry telephony, not power, and should not pose any threat to the public especially if public access to this small area is restricted for a limited time period. We believe that Verizon wire-2 and wire-1 will pose little trouble since they both ascend from the ground nearby. The slack provided in the lines should equal the rise from the ground to their current harness point.



Verizon wire-3 bends quite dramatically (approx 90°) at telephone pole-c. If wire-3 is disconnected such that it may be laid on the ground in a direct route from pole-d to pole-b, then the shorter linear distance between these points and the vertical drop should provide the slack required to allow a “drive-over” with the Merrill house. If both distances bc and cd are each approximately 88 feet, then the distance bd would be around 124 feet thereby providing an additional 50 feet of slack just by “stretching” wire-1 straight.



Picture 3

Shown in Picture 3 above, at the telephone pole designated as "b," we find that Verizon wire-1 ascends from underground and continues north on Water street toward Newfields along with wire-2 and wire-3.



Picture 4