

COPY OF TRANSCRIPT

BEFORE THE PUBLIC SERVICE COMMISSION

COMCAST CABLE COMMUNICATIONS,
INC., a Pennsylvania corporation,

Docket No. 03 035 28

Claimant,

VS.

PACIFICORP, dba UTAH POWER, an
Oregon corporation,

Respondent.

DEPOSITION OF JOHN CARDOVA

TAKEN AT: Ballard, Spahr, Andrews & Ingersoll
201 S. Main Street, Suite 600
Salt Lake City, Utah

DATE: May 21, 2004

TIME: 1:15 p.m.

REPORTER: DAWN M. DAVIS, RPR



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Salt Lake City

Washington, DC

New York

Los Angeles

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

www.thackerco.com

APPEARANCES

For the Claimant:

JOHN DAVIDSON THOMAS

COLE, RAYWID & BRAVERMAN

1919 Pennsylvania Avenue, N.W.

Second Floor

Washington, D.C. 20006

and

GENEVIEVE D. SAPIR

COLE, RAYWID & BRAVERMAN

2381 Rosecrans Avenue, Suite 110

El Segundo, California 90245

For the Respondent:

GARY G. SACKETT

JONES, WALDO, HOLBROOK & MCDONOUGH

170 South Main Street, Suite 1500

Salt Lake City, Utah 84101

Also present: JAMES COPPEDGE



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

Witness	Page
John Cardova	
Examination by Mr. Thomas	4



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Deposition of John Cardova

May 21, 2004

PROCEEDINGS

John Cardova, called as a witness for
and on behalf of the Claimant, being first duly
sworn, was examined and testified as follows:

EXAMINATION

BY-MR.THOMAS:

Q. Good morning--good afternoon, Mr.
Cordova.

A. Good afternoon.

Q. My name is Dave Thomas, and I'll be
taking your deposition this afternoon. I
represent Comcast in the current dispute that's
before the Public Service Commission here.

Could you please state your full name
for the record.

A. Yeah. John Robert Cordova.

Q. And by whom are you employed?

A. PacifiCorp.

Q. And what's your business address,
please?

A. 320 North 100 West, Moab, Utah.

Q. Have you had your deposition taken
before?



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 A. No.

2 Q. What I'd like to do is just go over a
3 few preliminary matters with you in case--you
4 probably have heard some of this from your counsel
5 already, but it's important that you speak audibly
6 because everything is being recorded by the court
7 reporter.

8 If I ask you a yes or no question, when
9 you nod to me I know what you are saying but
10 that's not necessarily going to be picked up in
11 the transcripts.

12 A. Okay.

13 Q. I am going to try and ask you clear
14 questions. I'm not necessarily going to succeed
15 in doing that, so if you don't understand my
16 question, please ask me to restate it because I
17 want you to be, you know, comfortable with the
18 questions.

19 If you need to take a break at any
20 time, feel free to do so.

21 If you have a question that--if there
22 is a question that I've asked and is pending and
23 you started to answer the question, I would
24 appreciate it if you could finish the answer
25 before consulting with your counsel if you decide



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 that you want to, in fact, consult with counsel.

2 And if at any time during the course of
3 the deposition you reflect back on an answer that
4 you may have given previously that you wish to
5 clarify or supplement, please feel free to do so.
6 It's important to do that because this is a--the
7 record of our conversation today, and it may be--
8 you know, may be used in proceedings in the
9 future or in this proceeding in the future.

10 A couple of more preliminary questions
11 just in the nature of nailing down specifics for
12 the deposition.

13 Are you on any medication or drugs that
14 would make it difficult for you to answer the
15 questions completely and honestly?

16 A. No, none.

17 Q. Okay. Are you under a doctor's care
18 for anything that would make it difficult for you
19 to answer?

20 A. No.

21 Q. Okay. Have you had an alcoholic drink
22 within the last eight hours or so that would make
23 it difficult for you to answer the questions?

24 A. No.

25 Q. Is there any other reason why you



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 wouldn't be able to answer the questions
2 completely and truthfully?

3 A. I see none.

4 Q. Okay. Mr. Cordova, could you please
5 tell me your full title and a description of your
6 job responsibilities at this time for PacifiCorp.

7 A. I am the Distribution Operations
8 Manager. The duties are the line crews. I am
9 responsible for line crews. We build power lines,
10 keep the power lines, essentially. I also have a
11 person that does the design, an estimator, service
12 coordinator.

13 Q. Do the estimators report to you?

14 A. They do. There is one estimator.
15 Yeah. For the Moab, Blanding, Green River area.
16 Essentially Grand and San Juan Counties.

17 Q. Now, was there a time when you were
18 responsible for joint use in other parts of Utah
19 for PacifiCorp?

20 A. Yes.

21 Q. When was that?

22 A. '03--pretty much all of '03, from about
23 January through December. I transitioned to this
24 new job in December, so there was a little bit of
25 overlap in December. I officially started this



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101
801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 new job January 5 of '04.

2 Q. The one where you are responsible for
3 line crews out of Moab?

4 A. Correct.

5 Q. And from the roughly January through
6 December 2003 time frame could you give me your
7 job title and an--you know, a descriptive overview
8 of your responsibilities in that role.

9 A. I was the T&D Infrastructure Manager
10 for the southeast area which is North Salt Lake
11 through the rest of the state going south.

12 Q. And what does that mean, T&D?

13 A. Transmission and distribution. It's a
14 title.

15 Q. A title?

16 A. Really, the bottom line we--we were the
17 contacts for the--the joint use or the--the third
18 party contacts.

19 Q. Were you based in Utah or based in
20 Portland?

21 A. Based here, here in Salt Lake.

22 Q. In Salt Lake.

23 Prior to January of 2003, where were
24 you employed?

25 A. Here again. I have been...



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Here again in Utah?

2 A. Here again in Utah, in Salt Lake. I
3 have been here since '75 with Utah Power or
4 PacifiCorp. But do you just want the previous job,
5 or do you want a whole series?

6 Q. Well, let me start--you said since 1975
7 you have been with Utah Power and Light?

8 A. Yeah.

9 Q. And then--

10 A. I--well, Ogden is where I spent most of
11 my time, first as a meter reader and then a--a
12 ground--essentially ground help for the line
13 crews. A tree trimmer and equipment operator. And
14 that's through about '80. And in '80--'80 through
15 about '91 I was an estimator, designed the line
16 construction.

17 '91 through '95 I was a customer
18 service--essentially a rep, a whole series of
19 different jobs dealing with liaison to commercial
20 customers, large customers, cities, a whole series
21 of different things.

22 '96 I was back in Layton as an
23 estimator.

24 In '97 I moved down here to North
25 Temple supporting--essentially supporting



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 estimators as a business analyst. Training,
2 system type things, system support.

3 And I think in--in '01 I shifted to a
4 transmission group which deals with the large
5 power lines. Did that for two years.

6 And after that I--I took the job with
7 the T&D Infrastructure Management Group or joint
8 use. It's a long word for joint use.

9 Q. And then January 5 of '04 you started
10 in your current job in Moab?

11 A. Correct.

12 Q. Okay. Backing up to 1975, you said you
13 started as a meter reader?

14 A. Correct.

15 Q. And for how long, approximately, were
16 you a meter reader?

17 A. Eighteen months.

18 Q. So sometime in '76, '77?

19 A. Yeah. Probably '76 I became a ground
20 man. About a year later I became a tree trimmer.
21 Maybe a year later became an equipment operator,
22 something like that.

23 Q. Let's just take these in sequence. A
24 ground man, can you give me an overview of what a
25 ground man does?



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 A. The line crews that work essentially on
2 city streets, in this case right downtown Salt
3 Lake. All the power is underground and in vaults
4 and you are just ground support.

5 (Discussion off the record.)

6 Q. And it was an underground construction
7 at that point?

8 A. No.

9 Q. Not construction?

10 A. It's underground construction there
11 existing, but they are just like buildings like
12 this. They are like rooms, they are huge rooms.

13 Q. The vaults you are describing?

14 A. Huge vaults with power in them.

15 Q. Okay. That was when you were a ground
16 man from '70--for a year '77, '78?

17 A. Yeah, roughly a year.

18 Q. And then you became a tree trimmer?

19 A. Tree trimmer in Ogden.

20 Q. So you went from the vaults underground
21 to the bucket trucks aerially?

22 A. Correct, trimming trees.

23 Q. Trimming trees, keeping power lines and
24 the rights of way clear?

25 A. Exactly.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101
801-983-2180 Toll Free: 877-441-2180 Fax: 801-983-2181

- 1 Q. And how long did you do that for?
- 2 A. About a year or so.
- 3 Q. Okay. And then after tree trimming?
- 4 A. I went back to the line crews as an
- 5 equipment operator, wanted to run a bucket that--
- 6 the line truck, drill the holes, set the poles,
- 7 you know, just the basics, just ground support
- 8 again.
- 9 Q. Ground support again but more in
- 10 aerial? Were you--
- 11 A. Yes. This time it was aerial, yes.
- 12 Q. Okay. So you would--
- 13 A. And underground but--yeah, typically
- 14 new construction or rebuilds.
- 15 Q. So you would be operating those big
- 16 trucks with the big derricks that--
- 17 A. Correct.
- 18 Q. --drilled the holes and you would have
- 19 the pole on the trailer or on the back and you
- 20 stick them in, the hole replacement, that sort of
- 21 thing?
- 22 A. Yeah.
- 23 Q. And you were one of the operators for
- 24 that?
- 25 A. Correct. I was ground support.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Did you actually go up and--were you a
2 lineman, did you actually transfer from
3 facilities--

4 A. No, I was never a lineman.

5 Q. Never a lineman.

6 A. Just ground support.

7 Q. So what year are we in now roughly when
8 you're equipment operator?

9 A. That was '77 through probably '80,
10 something like that. Just under three years, you
11 know, give or take.

12 Q. And then around in 1980, what did you--

13 A. I took an estimator's job, which
14 design--designing the power lines, essentially, in
15 the Ogden area.

16 Q. And what--what did an estimate--you
17 said designing the power lines. Could you
18 describe to me in a little bit more detail what
19 you did as an estimator?

20 A. Well, at Utah Power if--if you live in
21 a home, you typically need somebody like an
22 estimator to build--to design the power to get
23 there, or if you build a new subdivision or a
24 commercial unit or anything, it typically takes
25 the estimator--that's the engineering piece of--of



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Utah Power. So I do the construction, the
2 design, order materials, assign man hours,
3 whatever is required.

4 Q. And it was primarily for--primarily for
5 the design of electric facilities to new homes and
6 businesses?

7 A. New homes, yes.

8 Q. New homes?

9 A. And businesses. Or if--if it's an old
10 power line, rebuilds, you know, the older areas,
11 you typically have to upgrade them, so for
12 upgrades also.

13 Q. Now does the term estimator relate to
14 the cost of doing something? Would you go out
15 and say, we need to do these functions, and it's
16 going to cost X, or would it be more like, we
17 need to do these things, and somebody else figures
18 out what it's going to cost?

19 A. No, it was the cost, it was the whole
20 deal. It was the design of the job.

21 Q. And would you include in that if there
22 were other people on the poles, street lights,
23 traffic signals, Qwest, cable, would you--would
24 you be looking at those facilities and factoring
25 those costs into the estimates that you were



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 preparing?

2 A. I don't know if factoring in the costs
3 would be as much as you take them into account.
4 You would coordinate, you know, their transfers,
5 things like that.

6 Q. So if, for example, if a new
7 subdivision were going in, and you had to put in
8 higher capacity distribution circuits out there,
9 you would need a--maybe a taller pole to do
10 that--to accommodate that, you would go out, look
11 at the pole, see who is on there, figure out the
12 work that needs to be done for the electric
13 facilities?

14 A. Yeah. Typically. And--and if there
15 was another--somebody else attached to it, you
16 would deal with them, whether it was Qwest--in
17 those days it was U.S. West and TCI. They were
18 typically the two that were in the Ogden area.

19 Also Insight cable was in the Ogden or
20 the Box Elder County area.

21 Q. And this was--and you started as an
22 estimator in about 1980, did you say?

23 A. Correct.

24 Q. How long were you an estimator for?

25 A. Roughly 11 years and then associated



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 with it--still associated with it so...

2 Q. Once an estimator always an estimator?

3 A. Well, roughly 11 years in one window,
4 came back for another year.

5 Q. And when you--okay. Well we'll get
6 to--

7 A. Changed jobs. Changed jobs again.

8 Q. So in 1991 you changed jobs and--

9 A. Changed--we had a--yeah, there was a
10 lot of reduction in forces, and I was kind of
11 forced into picking a different route, so I just
12 picked a different route.

13 Q. Different route meaning a different
14 career route?

15 A. Different career route, correct,
16 customer service route, yes.

17 Q. That's when you went into customer
18 service, was in 1991, and then you came back to
19 estimating in '96?

20 A. In '96. Yeah, '96.

21 Q. Okay.

22 A. In the Layton area.

23 Q. Back in the 1980 to 1991 time frame,
24 when you were estimator, chapter one, did you have
25 involvement with joint use issues other than just



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 new circuit design or power upgrade?

2 A. The--at one point when cable TV first
3 came through the area, the Davis County area.

4 Q. When was that, roughly?

5 A. Early '80s.

6 Q. Early '80s.

7 A. Maybe '81, something like that. The
8 early '80s anyway.

9 They came in and said, we want to be on
10 these poles. I would essentially go out and do
11 the walkout and see if they could physically
12 attach to those poles.

13 Q. And how did--how did that normally
14 occur? And when I say normally occur, was this
15 the first time that cable started to build in the
16 area that you were familiar with?

17 A. Yes. It was at least in the Davis
18 County area, yes, it was.

19 Q. In Davis County, okay.

20 And you would be approached by whom for
21 permission to come on the poles?

22 A. Typically they had a person that was
23 their--I'll say coordinator. That wasn't their
24 title. But they would come to us with maps,
25 specific maps, and this item they called--that was



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

1 part of the contract in those days called an
2 Exhibit A. Said, "We want to attach to these
3 poles." We drive it out and...

4 Q. Would there be a map attached to the
5 Exhibit A, for example?

6 A. There was. There was a map with it.

7 Q. And were these employees of the cable
8 company or were they contractors working for the
9 cable company or both?

10 A. I--I don't know for sure. I would
11 assume they are both. I know one person was an
12 employee for sure. I don't...

13 Q. Who was that?

14 A. His name was Kim Thadell. Kim Thadell.
15 Yeah.

16 Q. Do you know whether any of those people
17 that you dealt with from the cable companies back
18 then are still around? And I'm talking
19 the--probably the early 1980's time frame, the
20 initial build period?

21 A. Not that I'm aware of. They have
22 changed companies several times.

23 Q. I've heard.

24 A. Yeah. This was the original TCI. Kim
25 Magness was another one, and he was a family



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 member of the owner or something like that.

2 (Discussion off the record.)

3 Q. And Kim Magness was one of the
4 individuals that you dealt with?

5 A. He was. He was. We would meet in the
6 field, things like that.

7 Q. And you would walk out the pole lines
8 with--

9 A. At times we did it together, yeah, or--
10 or I would give them an estimate, give them a
11 design, and then we would walk it out afterwards,
12 just to clarify.

13 Q. And then what--what would happen after
14 you had walked out, after you had walked out the
15 pole line after receiving the applications? Let
16 me rephrase. You look confused.

17 A. Okay.

18 Q. They would come to you with an Exhibit
19 A with a map attached, and then you would walk
20 out the pole line with the cable representative.

21 A. Or do it by myself, correct.

22 Q. Or by yourself.

23 And what would you be looking for when
24 you had the--the map and the Exhibit A, when you
25 were doing the walkout?



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101
801-983-2180 Toll Free: 877-441-2180 Fax: 801-983-2181

1 A. Well, basic clearance. Clearance from
2 the ground, clearance from power lines, you know,
3 the very obvious things. I don't know the
4 clearance requirements from the '80s, but I always
5 had a cheat sheet with me. I didn't have to know
6 them. I carried--I carried all the tools I
7 needed.

8 So I would measure, do all the
9 measurements, and when I was done with that, do
10 the design, you know, redesign it. We would
11 essentially show them their portion of the cost,
12 they would pay it, we would do the construction.
13 We would move on to the next project.

14 Q. And would you go--would you go and give
15 them a piece of paper back that would say, "Okay
16 to attach on this pole at 24 feet, okay to attach
17 on this pole or. . ."

18 A. Not--not at heights, no.

19 Q. No?

20 A. No, we would just give them clearance
21 to attach.

22 Q. Were the poles--were the poles crowded
23 back then, or was it pretty much just power and
24 maybe some telephone up there?

25 A. It was--it was power and some



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 telephone, but they were shorter poles, too.

2 Q. How tall were they?

3 A. Probably around 35-foot, which is 10-
4 foot shorter than you see out there today.

5 Q. Typically today you see 45s?

6 A. Correct.

7 Q. And did they have to do a lot of pole
8 replacements in order to get up?

9 A. There was--there was--I don't know if
10 there was a lot. There was pole replacements. I
11 wouldn't call it a lot, but there was pole
12 replacements, yes.

13 Q. And are--were there other individuals
14 at Utah Power at the time who did this kind of
15 work with cable companies to help them get on the
16 poles, or were you the only person in the state?

17 A. No, I was not the only person in the
18 state. I had a geographic area: northern Utah,
19 Davis County, Weber County, Box Elder County.

20 Q. How many other--how many other
21 individuals would you estimate there were
22 performing essentially the same function,
23 assisting cable operators?

24 A. It's hard to estimate, but
25 realistically they would have to--somebody would



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 have to be in place in every district to do the
2 same thing.

3 Q. And there were approximately how many
4 districts, do you know?

5 A. No, I don't.

6 Q. 20, 30?

7 A. Maybe. Maybe 30. Maybe 20.

8 Q. So would there be roughly 20 or 30
9 others who would have the same joint use function,
10 I guess, that--that you did in those other
11 districts?

12 A. I don't know that because I didn't
13 have--I didn't deal with others. You know what I
14 mean?

15 Q. You knew what was going on in your
16 district but not necessarily with--

17 A. I dealt with Ogden and Ogden things.
18 Pretty much ended there. I didn't really have a
19 lot of contact throughout the company so. . .

20 Q. You had enough to take care of in your
21 own district?

22 A. Oh, yeah.

23 Q. Right. Were there--when you got the--
24 the application materials from--TCI, I believe you
25 said was the operator at that time was building



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 through first.

2 A. TCI and Insight.

3 Q. And Insight. Any others or just those
4 two?

5 A. Not that I'm aware of.

6 Q. Okay. After you walked out and gave
7 approval for attachment, how did you do that?
8 How did you give approval? Did you write a
9 letter? Did you make a phone call? Did you...

10 A. You know, I don't know for sure. I
11 suspect it was a phone call. I don't know.

12 Q. Right.

13 A. It could--I don't know.

14 Q. It may have been--well, could it have
15 been different approvals for different projects or
16 different parts of projects?

17 A. You know, not necessarily. I don't--I
18 don't--I don't know how would we--we would approve
19 those, though. It may have went through the
20 managers at the time. I don't think--as it
21 wasn't my job in those days to actually give
22 approval. I was the--I had a function.

23 Q. Did you countersign the Exhibit A or
24 put additional instructions on that?

25 A. No.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. That wasn't really your job?

2 A. No.

3 Q. But you would have the Exhibit A, and
4 you'd have your cheat sheet, right?

5 A. The map, do you mean?

6 Q. No, you said you had a cheat sheet
7 which would be NESC standards, I think you
8 testified.

9 A. Yeah.

10 Q. So you would have that, and then you
11 would have the map where you could walk the route
12 along--

13 A. Correct.

14 Q. --correct?

15 After you walked the route out and
16 estimated what needed to be done, then--then what
17 happened to--in the next step?

18 A. In my process?

19 Q. Yes.

20 A. I would essentially turn it over to
21 construction to be done pretty much--pretty much
22 ended my process, my portion of it. There was
23 always a construction copy in the packet that you
24 would make up actual packets with material lists.
25 You order materials, you draw maps, whatever it



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

1 took, make a construction packet to go to the
2 line crews and make an approval packet to go to
3 managers.

4 Q. Would this go to construction if there
5 were no make-ready to be done?

6 A. No.

7 Q. Only if it were make-ready it would go
8 to construction?

9 A. Yeah. Yeah.

10 Q. But were there a lot of--did most
11 projects require make-ready, that you recall, or
12 was it mixed?

13 A. It was a mix. It was a mix. The poles
14 weren't extremely crowded in those days, you know,
15 it was, as you mentioned initially, there wasn't a
16 lot of players on the poles, or not a lot of
17 additional, you know, people attempting to use the
18 poles.

19 Q. But they were shorter?

20 A. And they were shorter. The--the '50s
21 construction, it was shorter. A lot of times you
22 had older poles, 60s 70s.

23 Q. So only if there was electric make-
24 ready to be done, say a transformer needed to be
25 moved up or something, only then would



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 construction get a packet, correct?

2 A. Yes.

3 Q. But if there was no make-ready to be
4 done then what--what happened then?

5 A. They didn't--they didn't come through
6 me. What they would do, in those days, is they
7 would walk it out initially.

8 Q. They being the cable company, Kim
9 Magness?

10 A. They would give their own assessment.

11 Q. Okay.

12 A. And I'd essentially have something that
13 they looked at and said, "We think this needs to
14 be done," and I would essentially validate it or--
15 or...

16 Q. Contradict it?

17 A. Correct. So typically it was--it was--
18 that was part of their--that was part of their
19 map, coming to me. They walked it out initially.

20 Q. And then you would take--then you would
21 take the map, and if there was no make-ready to
22 be done, would you say, Yeah, right, no make-ready
23 to be done, go ahead and attach?

24 A. Well, no. See, if there was no make-
25 ready, again, they typically didn't come to me.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 It was--it was only if there was something that
2 needed to be done, some kind of construction.
3 They would look at it initially and say, Yeah,
4 this needs to be done, and then I'd validate
5 that.

6 Q. Okay. So if there was nothing that
7 needed to be done, if the poles were completely
8 clear, what was the process in that case?

9 A. I don't know because I wouldn't see
10 those.

11 Q. Did anybody see those at PacifiCorp? I
12 mean Utah Power, at the time? Sorry.

13 A. Well, I can assume that somebody saw
14 those.

15 Q. Right?

16 A. I didn't--I didn't see those.

17 Q. But you would have only come into the
18 process if there were a real--

19 A. I came in the process because I was
20 part of the construction. Part of the
21 construction process is validating that
22 information.

23 (Discussion off the record.)

24 Q. Just so that I understand, Mr. Cordova,
25 you would only get involved if there was actually



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 estimation to be done, make-ready that needed to
2 be performed, and to figure out what was involved
3 and what the costs of that would be.

4 A. Correct. Correct.

5 Q. Do you--well, let's skip over your work
6 as a CSR for the moment and go to your time as an
7 estimator back in--I believe you said 1996 to
8 1997?

9 A. In Layton again.

10 Q. In Layton.

11 Was that roughly the same kind of
12 responsibilities and functions that you had in
13 your first go round as a estimator?

14 A. Yeah. They were roughly the same, with
15 the exception that there wasn't a lot of cable TV
16 being rebuilt in those days, so there was no
17 jobs. I don't remember any cable TV jobs. So
18 that had passed in the early '80s.

19 Q. So you didn't have much in the way of
20 permit applications coming in during that period?

21 A. None.

22 Q. None. None that you can remember.

23 A. None.

24 Q. And this was in Ogden, you said?

25 A. It was initially in Ogden, and then in



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 '96 was in Layton.

2 Q. I want to skip ahead to January of 2003
3 and the year that you were in T&D Infrastructure
4 Management. Was it where you were a manager or
5 supervisor?

6 A. Supervisor.

7 Q. Supervisor.

8 I was wondering if you could walk
9 through the application process from initial
10 application to--make that through post inspection.
11 And let's use Comcast as an example because, I
12 think, Comcast during 2003 was probably about the
13 most active company in that--in that regard.

14 A. The process typically didn't come
15 through me, as a supervisor. It went through the
16 coordinator in Portland. They would--a lot of
17 times they would come back 'cause we wouldn't go
18 out there to validate it.

19 We also had field people, four field
20 employees that would validate that information.
21 But it went from Comcast to the service
22 coordinator in Portland to the field people.

23 Q. And what was your role in that first
24 chain you described?

25 A. I was their immediate supervisor.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. The immediate supervisor of the--

2 A. Of both the coordinator in Portland and
3 the field people here in Salt Lake, Salt Lake
4 area.

5 Q. Who was the coordinator in Portland?

6 A. There was Roz Holstrom.

7 Q. And she was the only one?

8 A. She was.

9 Q. And who were the--

10 A. Well, she was the only one for this
11 area. At times there were others supporting and
12 helping. She was the only one assigned to this.
13 She worked--she worked immediately for me. At a
14 later date she shifted to work for a supervisor
15 in Portland.

16 Q. Who was that supervisor?

17 A. Laura Raypush.

18 Q. And what's Laura Raypush's
19 responsibilities, functions?

20 A. I don't know all of them, to be honest,
21 but she's--she is the immediate supervisor for
22 the--the ASCs. What does A stand for? ASCs.
23 It's service coordinators.

24 Q. I think--

25 A. I am not exactly what A means.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. I think--I think we have it from
2 someone else's deposition, so we can look it up.
3 I think it's administrative support coordinator or
4 something like that.

5 A. Close enough. It is administrative.

6 Q. Okay.

7 A. Service coordinator, yes.

8 Q. We could probably think of some other
9 acronyms, too, but I think that's good for now.

10 How many inspectors, at the time, did
11 you say were here in Salt--in the Salt Lake area?

12 A. Well, essentially three in the valley;
13 one for metro, one for Jordan Valley, which is
14 further south, about a hundred south, and then
15 there was one in American Fork. But the work was
16 typically in this area, and so I kept all three
17 of them in this area.

18 There is also one additional one in--in
19 Cedar City, but, again, the work being here, most
20 of his time was spent here.

21 Q. And who were those--those four
22 individuals who were inspectors?

23 A. Dianne Graham, Dianne Loumis, Ken Bell,
24 and Kevin--Kevin, Kevin. I am missing his last
25 name. Out of Cedar City.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Kevin was from Cedar City?

2 A. It will come to me.

3 Q. We can come back to that. Maybe you
4 will remember.

5 So Comcast would file a permit
6 application with Roz Holstrom in Portland,
7 correct?

8 A. Correct.

9 Q. Then what would Roz do with it? And I
10 am interested in the small--the smaller steps in-
11 between, to the extent you know. So Roz would
12 get it from someone at Comcast. Then what would
13 Roz do with it?

14 A. Well, I--I can't tell you all her small
15 steps, not knowing her job, but essentially it
16 would come back to the field specialists, and they
17 would go out and do an inspection, the ones that
18 worked for me.

19 (Discussion off the record.)

20 Q. My question was, she would send it to
21 the field specialists?

22 A. Correct.

23 Q. And the field specialists were the four
24 individuals that you just named a moment ago?

25 A. Correct.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. And is the work that these field
2 specialists did from the application materials
3 that Roz gave to them roughly comparable to the
4 work you did as an estimator in your own career?

5 A. No, because there was really--they--
6 they don't have construction responsibilities.
7 They don't have the authority to rebuild. They
8 pass that on to estimators who still exist today.
9 And if there was some construction that needed to
10 be done, that was forwarded on to them.

11 Q. So these four individuals were
12 inspectors?

13 A. Correct.

14 Q. And their function was what?

15 A. Is to process the applications coming
16 from Comcast. Seeing if they could or could not
17 attach to the poles.

18 Q. And the material that they received
19 from Comcast through Roz, correct?

20 A. (Witness nods head.)

21 Q. Was there engineering data on there
22 that needed to be verified?

23 A. Typically that was--that was asked--we
24 asked for that continually. Rarely got it.
25 Typically it was a simple sheet with not much



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-985-2180

Toll Free: 877-441-2180

Fax: 801-985-2181

1 engineering data behind it.

2 You really didn't know the--the cable that
3 they attempted to use, you really didn't know how
4 tight they were attempting to pull it in, which
5 is a factor.

6 You didn't know a lot of stuff. Although they
7 kept saying they had the information available, we
8 rarely got it. We rarely received that type of
9 information.

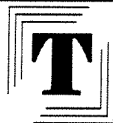
10 Q. So would you have to go out and re-
11 engineer the pole yourself, for example?

12 A. These three aren't--these four aren't
13 capable of re-engineering the poles so--so, no, we
14 did not. They--it wasn't--they are not capable.

15 Q. But you--you needed that information in
16 order to be able to approve an attachment request?

17 A. Not every single attachment request,
18 but, yes--you need the information. It's part
19 of--part of the process.

20 You really need to--if there's a--for example,
21 a structure that--that is old, and they may need
22 specifics on that, they may need to run a
23 calculation on that, then you would need that
24 information, typically on a transmission-type
25 structure, the larger ones.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. When you say--you said calculation?
2 You mean like a load calculation?

3 A. Load study.

4 Q. Had--had you done load studies on
5 poles?

6 A. We did not. We did not. We would have
7 to send it to somebody else. We would have to
8 send it to the engineering group to get that
9 done.

10 Q. And did the engineering group do load
11 studies?

12 A. Not a lot, because we rarely got the
13 data that we needed. Typically when we'd ask for
14 that data, they would pick a different route, so
15 I don't remember any being done because they would
16 change their mind and just pick a different route.

17 Q. So what could happen is you would get
18 the material, inspector would go out and say,
19 Sheesh, this pole looks pretty loaded up. I
20 think we are going to need to do a load study
21 before we can process this application, and then
22 Comcast would come back and say, Oh, never mind,
23 we'll do another route, is that correct?

24 A. Well, Comcast really didn't come back
25 and say, never mind, we'll do another route, they



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 just went away. It was just one of those pending
2 things that stayed out there.

3 Q. That they never followed up on?

4 A. They are still out there pending, I am
5 sure.

6 Q. Was the process the same for
7 overlashing to an existing attachment as for a
8 brand new attachment?

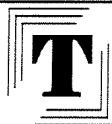
9 A. Yes.

10 Q. And it would be inspected in--in the
11 field to see if it could accommodate the
12 additional fiber to be overlashed?

13 A. Yeah, the measurements. They are
14 checking for clearances also--or checking for
15 clearance from power, clearance from the ground,
16 you know, just the basics. NESC violations or
17 NESC potential violations.

18 Q. And if there were violations on the
19 pole, let's say there was not sufficient clearance
20 between an existing--and we are talking about an
21 overlashing now--if there were not sufficient
22 clearance between the existing cable attachment
23 and, say, a power transformer, what would happen
24 in that case?

25 A. The--the inspectors would notify that,



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 they would mark that on the sheet. That would be
2 returned to Roz, and Roz would notify them.

3 Q. Roz would notify whom?

4 A. The cable company. Sorry.

5 Q. And would there be an estimate of what
6 the cost to make the correction would be?

7 A. No, not with that.

8 Q. Not with that?

9 A. Because, again, the inspectors don't
10 have the ability to do that.

11 Q. Okay. So Roz--inspector would say,
12 Need to move transformer. That would go to Roz,
13 and then Roz would send that back to Comcast?

14 A. And she would ask them, Do you want an
15 estimate? and wait for them to reply back.

16 Q. And then Comcast would say yes, or in
17 some cases--

18 A. In some cases they said yes. Typically
19 you didn't hear another word.

20 Q. Let's take the case of when they said
21 yes, rare as it may be. What happened then?

22 A. It would--I don't know if Roz would
23 send it to the estimator. The estimator got it
24 one way or another.

25 Q. The estimator who is with the



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 construction department?

2 A. With--correct, with Utah Power. They
3 do the design, give them a price quote, This is
4 what it will cost, and get that to the cable
5 companies. I'm not sure how it would get to the
6 cable companies because that wasn't--I didn't deal
7 with that.

8 And then they would wait for them to
9 pay the check, I guess.

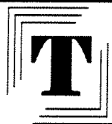
10 Q. They are required to pay in advance of
11 the work being performed?

12 A. There are construction practices out
13 there. The Public Service Commission has a whole
14 series of requirements, and--and one of the line
15 extension requirements--and this would be one of
16 them, not necessarily line extension but just
17 construction practices. It would at least be
18 required to pay a portion of it, if not all of
19 it.

20 Q. So some form of advanced payment was
21 required before--

22 A. And that's no different than with any
23 other customer. If--no different than with you,
24 if you were building a home.

25 Q. If--if I needed a line extension to



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 my--

2 A. Correct.

3 Q. --ranch?

4 A. Correct.

5 Q. I wish I had a ranch.

6 A. Yeah, me too.

7 Q. You wish I had ranch, or you wish you
8 had a ranch?

9 A. I wish you had a ranch.

10 Q. Then I probably wouldn't be here. Then
11 we wouldn't have any fun.

12 So the estimator would estimate the
13 costs of electric make-ready and somehow that
14 would get back to Comcast, in that specific case.

15 A. Somehow, correct.

16 Q. But you are not exactly sure--

17 A. I wasn't part of that process.

18 Q. So you don't know if it went back to
19 Roz, and then Roz sent it back to Comcast, or it
20 went directly from the estimator to Comcast.

21 A. I don't know the exact process.

22 Q. Okay. What about when the inspector
23 goes out, looks at the pole, and says, Qwest
24 needs to move down. Would that ever happen?

25 A. Yes.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. What would happen in that situation, if
2 the inspector makes that notation, Qwest needs to
3 move down?

4 A. It goes back to Roz again. The
5 inspector sends it back to Roz. Roz notifies the
6 phone company through a--typically a joint pole
7 notice or--I think through a notice. One way or
8 another she notified them. And you'd have to
9 wait until they actually did their work.

10 Q. Mr. Cordova, I have a document that we
11 marked this morning as Clifton Exhibit 1.

12 Genevieve, do we have extra copies of
13 that?

14 Would you mind, Counsel, sharing that
15 one?

16 And I just want to ask you a few
17 questions about this document. It carries a
18 title, Joint Pole Notice, at the top, and it's--in
19 the lower, right-hand corner it has a number that
20 says ccc, a bunch of zeros, and a one. Do you
21 see that?

22 A. I do.

23 Q. Is this a PacifiCorp form?

24 A. I don't know. I would--I don't know.

25 Q. Did you ever--have you ever seen a form



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 like this?

2 A. Yes, I have.

3 Q. Have you seen a lot of forms like this?

4 A. Yes, through--through--yeah.

5 Q. Through working with Roz and the
6 inspectors?

7 A. Exactly, through the inspectors,
8 through Roz, exactly. It would come from the
9 cable companies.

10 Q. You'll see down about two-thirds of the
11 way on the page, it says "foreign utility will."
12 What's a "foreign utility" refer to there?

13 A. Any--any other company other than Utah
14 Power attaching to the pole.

15 Q. Do you think it would be a reasonable
16 conclusion that if this says "foreign utility"
17 that this would be a PacifiCorp form?

18 A. Well, you are asking me to assume
19 there. I don't--I don't know where the form came
20 from. I don't know the origination.

21 Q. Okay.

22 A. It--I didn't generate it.

23 Q. Fair enough. Fair enough.

24 I think we are finished with that--that
25 document. In the time that you were with T&D



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Infrastructure Management from--during the year of
2 2003, was the pole application process different
3 from what it was previously, say, in 2002 or
4 1982, to the best of your knowledge?

5 A. It would be different for the obvious
6 reason. The department didn't exist before then.
7 It wasn't an organized department within
8 PacifiCorp before--I don't know the exact year,
9 but I was the first supervisor of this--this
10 geographic territory, so it was a new position.

11 So it would--assuming it was a brand
12 new job, it would have to be a--a new process to
13 a certain point. I don't know. But I wasn't a
14 part of it, also, so I can't really tell you
15 historically what the process was.

16 Do you know what I mean?

17 Q. I understand your answer, yes.

18 Were--was part of the reason that T&D
19 Infrastructure was created was to bring more
20 processes into place to deal with joint use?

21 A. I--I don't know that--all the reasons
22 because, again, I wasn't part of that. I was
23 probably the last piece of the whole group to be
24 added, and I wasn't--others could give you a better
25 answer than--than I could.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

1 Q. Well, in the course of the--in the
2 course of your working on the processes for 2003,
3 did you ever have discussions with Corey or
4 perhaps other--other people in T&D Infrastructure
5 Management about the way things were done
6 previously in Utah on pole attachments?

7 A. And are you asking about the--the
8 attachment process?

9 Q. Yes.

10 A. I--there were gaps. It was an
11 incomplete process. I know there are locations
12 where they are installed with no permission
13 whatsoever. The linemen would say that, in-Have
14 they been here? you know, or They installed new
15 construction, so there was--there was no checks,
16 there was no checks and balance in place.

17 PacifiCorp changed pretty dramatically
18 from the early '90s to--you know, ten years after
19 that, a lot of personnel left. There were a lot
20 of--there were a lot of--a whole lot of changes,
21 and so I don't--I don't know that--that anybody
22 was really concentrating on the attachments as
23 they should have been.

24 Q. During this--from 1990 to 2000?

25 A. Yeah, or so, yeah.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. When did--when did Utah--when did Utah
2 Power get acquired by PacifiCorp or merge--

3 A. I believe it was '89. '89ish, '89,
4 '90.

5 Q. So you were here for the transition, so
6 you saw a lot of changes, right?

7 A. Correct.

8 Q. Did you really get the sense that there
9 was a new--a new sheriff in town as of 1989,
10 1990, when PacifiCorp took over Utah Power, in
11 terms of implementing changes and restructuring?
12 And I am talking about one the 1990, 2000 time
13 period.

14 A. There was restructuring. There was a
15 lot of streamlining, a lot of jobs were
16 consolidated, a lot of jobs were displaced and
17 actually--

18 Q. A lot of layoffs?

19 A. There were layoffs, yeah. Exactly.

20 Q. And this was the time period where you
21 transitioned from an estimator to a customer
22 service person?

23 A. Correct.

24 Q. So part of--at least, as it affected
25 you, you--you had some--some options, and the most



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 attractive option, I take it, was going and
2 working on the customer service side of things, at
3 least for a period.

4 A. Correct. I was displaced, and I
5 shifted into customer service.

6 Q. Did a similar restructuring, that you
7 just described that happened in the 1990s, occur
8 when Scottish Power took over PacifiCorp?

9 A. Somewhat, but at the corporate level,
10 mostly. They shifted--they consolidated offices.
11 A lot of functions that were handled in Salt Lake
12 were shifted to Portland. Corporate functions
13 essentially.

14 Q. Did you have--once Scottish Power took
15 over, did you have more people working in joint
16 use in Utah or T&D Infrastructure Management, I
17 guess, than had been there previously?

18 A. Well, again, the department was newly
19 formed.

20 Q. That's right.

21 A. And I was the new--I was the only and
22 the first supervisor for this area. And that was
23 in January of 2003.

24 Q. You mentioned a few moments ago that
25 there were gaps, I think, in the way of doing--of



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 doing things and dealing with joint use. Could
2 you be--be more specific in terms of what you
3 mean by gaps?

4 A. Well, I don't think there was anybody
5 specifically assigned to--to--to take care of that
6 type thing. I don't think there was anybody
7 specifically assigned--assigned to--to watch out
8 for third party attachees on the pole, so they
9 typically installed it where they wanted.

10 Q. If there was nobody assigned to joint
11 use and--how would a cable company know how to
12 apply for a pole?

13 A. Let me clarify it. There was--there
14 was nobody assigned to it specifically locally.
15 There was--there was a joint use department in
16 Portland. I am sure they always had some kind of
17 process there, but I wasn't a part of it.

18 Q. Okay.

19 A. Nor did I--nor did I know the process,
20 nor did I deal with him. I didn't have reason
21 to. There was something in place, but--but I
22 wasn't a part of it. So--you know, I just wasn't
23 a part of it so. . .

24 Q. I understand.

25 Are you aware that there is a \$250



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 penalty that PacifiCorp applies to undocumented
2 foreign attachments?

3 A. Yes.

4 Q. Were you involved in developing that
5 penalty at all?

6 A. No.

7 Q. Do you know who was?

8 A. No.

9 Q. Do you know how it was derived?

10 A. I don't. I really don't.

11 Q. You just know it's there?

12 A. I know it's there.

13 Q. Do you know when it was derived?

14 A. I don't. No, I don't.

15 Kevin Rowley. That's his last name.

16 Rowley.

17 Q. Excellent. Can you spell that?

18 A. I think it's r-o-w-l-e-y.

19 Q. That was why I was waiting.

20 A. You did well.

21 Q. Ever since the beginning of the case, I
22 wanted that guy's name.

23 A. Rowley.

24 Q. To your knowledge, Mr. Cordova, has
25 there been a--a change in procedures for permit



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 applications in calendar 2004? I know that you
2 started, you know, January 5, in your new job,
3 but do you know whether there have been changes
4 in the procedures or speed with which applications
5 are being processed by PacifiCorp?

6 A. No.

7 Q. You haven't heard of any talk about
8 that?

9 A. No. I--I've took a new job. My hands
10 are full. I do make small talk with the guys,
11 but we are friends.

12 Q. Right.

13 A. But it ends there, you know? We don't
14 talk shop a lot.

15 Q. When you say the guys, you mean the
16 guys in other departments at Utah Power or the
17 Comcast guys?

18 A. Joe, for example.

19 Q. Joe?

20 A. Joe Clifton. He was just in here.
21 Occasionally call, Hey, how you doing, small
22 talk. Yeah. But--but, no, we don't bore
23 ourselves with the process development in those
24 conversations.

25 Q. I thought that's all you talked about.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 A. Yeah.

2 Q. Do you know whether the \$250 charge
3 that we had spoken about recently--whether they
4 are assessed as part of the permit or licensing
5 process as maybe another component like make-ready
6 or like inspection?

7 A. It is not. It's--it's a--I don't know.
8 A penalty, I guess, for a lack of a better word.

9 Q. That is charged through some other
10 process?

11 A. Correct.

12 Q. You seem to have a particularly long
13 and distinguished history with Utah Power all the
14 way through the changes. Is there anybody else
15 in PacifiCorp, who works in the areas of joint
16 use or T&D Infrastructure Management, who has been
17 around as long as you have?

18 A. I don't know. You know, it--my
19 evolution is just what we can do here. It's an
20 opportunity that we do have available to us here
21 at Utah Power so--I don't know.

22 Q. But do you know--do you know everybody
23 who works in T&D Infrastructure in Utah today?

24 A. Yes, because it's a small group. It's
25 still just a five-person department.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

1 Q. So nobody has been here since 1975?

2 A. Oh, no.

3 Q. And--

4 A. Well, you lost me there.

5 Q. The--I intended it to be a simple
6 question.

7 A. Okay.

8 Q. You have been with Utah Power since
9 1975. Has anybody else who works in this area of
10 joint use been there as long?

11 A. I don't think so.

12 Q. During the course of 2003, do you
13 recall having any meetings with--with Comcast
14 about the permit application process?

15 A. Yes. We--we had meetings trying to--
16 trying to make it easier for all. I--I had a lot
17 of meetings with Kaei Majors trying to make the
18 whole process better. I met with Marty Pollock.
19 I met with Cheryl Peterson. But Kaei was their
20 director. Kaei was the director of the group.

21 Q. Kaei was the director?

22 A. Yeah. So we had a lot of meetings. We
23 had a lot of respect--mutual respect, and I made
24 an effort to--to make things smoother for both
25 sides.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Did it work?

2 A. Some. I mean, it worked to a certain
3 point. It--did everything work? I don't think so.
4 I don't know.

5 Q. Was--was there a big change from--from
6 the way that Kaei Majors and the others who
7 worked for Comcast apply for poles from the way
8 that it was previously done? Did they ever
9 indicate to you, Well, this is different than the
10 way we did it before, or anything like that?

11 A. I don't know.

12 Q. You don't remember?

13 A. No, I don't know for sure. Always,
14 when you're in a round table, there is always
15 discussion but nothing specific.

16 Q. Nothing specific about changes in
17 process?

18 A. Change--or whatever, you know, nothing
19 specific. I know that at times they said, Well,
20 we were allowed to do this in the past, but it
21 was just a statement because you'd say, By whom?
22 and there was never an answer, so it was just a
23 statement. So I don't know if anything really
24 changed.

25 Q. How many meetings do you think you had



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 with the Comcast joint use types, for lack of a
2 better term, during 2003 when you were there?

3 A. Oh, a dozen or so. Some was
4 introductory meetings, you know, those type of
5 things. Some was transferring, like, gave them
6 maps, trying to help them make their job easier,
7 help them, you know, with the process, things like
8 that. So there were a lot of visits, you know, a
9 dozen, probably, you know, maybe 18.

10 Q. So it was--you didn't have a--well, did
11 you have a monthly progress meeting?

12 A. No.

13 Q. It was just if it seemed like there was
14 enough stuff that you needed to talk about that
15 you'd get together and have a meeting to sort
16 through it?

17 A. Kaei would call me occasionally, he
18 would say, Hey, can we talk about this? I would
19 call him occasionally, Kaei, can we talk about
20 this?

21 Q. And would you be in your office or
22 Comcast's office?

23 A. I typically went down to his office.

24 Q. Which--at Kaei's office?

25 A. Yes.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Okay. And you would discuss how to
2 make things easier, generally speaking, or did you
3 deal with specific questions on specific runs and
4 projects or both?

5 A. Both. Sometimes it would be specifics
6 about power supplies. Sometimes it would be
7 specifics about geographic areas.

8 Q. And were you responsible for--for power
9 supply application and activation?

10 A. They went through the same inspection
11 process. They went through the specialists.

12 Q. The specialists, Roz?

13 A. No.

14 Q. No?

15 A. The specialists being the field
16 inspectors. Sorry.

17 Q. They are the specialists?

18 A. Yeah.

19 Q. I am having trouble with all my--

20 A. I probably shouldn't have said
21 specialist. They are the field inspectors. And--
22 and typically, on the power supplies they were
23 critical to Kaei. They were very critical, and
24 so I--I dropped work, okay, to shift over and do
25 this. I made it a point to shift those people.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 continually to do that, just as a way of
2 cooperating to try and meet his schedule.

3 Q. The power supply activation schedule?

4 A. Correct.

5 Q. And is that what you had--were most of
6 the meetings about power supply activation or--

7 A. The majority, I would say yes, because
8 they were typically where the most confusion was.

9 Q. Did you ever meet with Rodney Bell or
10 Tim--

11 A. I did. Early on I met with both Rodney
12 Bell and...

13 Q. Tim?

14 A. What's Tim's last name? Yes.

15 Q. I'll think of it. Tim Jackson?

16 A. Tim Jackson. Tim typically had the
17 northern part of Salt--or the area, so he was
18 north of north Salt Lake. Rodney had this area.
19 So initially the first people I dealt with was
20 Rodney and Tim.

21 Q. And what did you talk to those guys
22 about? Were they interested in power supplies, or
23 was there other stuff?

24 A. No. No. They had--they had different
25 jobs. I met--I met Rodney--I think there was



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 clearance issues and just tried to get it taken
2 care of. Typically you need somebody--typically
3 you need somebody to address an immediate need,
4 and I think that's how I initially met Rodney.
5 He was always cooperative.

6 Q. He is.

7 Did you ever meet with Gary Goldstein?

8 A. Yes. We--we met--actually, I met Gary
9 the same day as I met Kaei, when I went over
10 there and introduced myself. We kind of got
11 together as a group. I think I called--I don't
12 know who I made the initial call to; might have
13 been Rodney, and I think he coordinated and
14 rounded everybody up.

15 Gary was there. Met with Gary on a few
16 different occasions. And I actually gave Gary some
17 maps to help them do the process better, our key
18 maps, our geographic key maps, showing him how
19 we numbered our poles, facility point numbers.

20 Q. Was that the first time you met Gary,
21 was in 2003?

22 A. They were all in 2003.

23 Q. Right. But you never knew them from
24 before?

25 A. No, I didn't know any of them before.



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1 Q. Okay. Mr. Cordova, I think that what
2 I'd like to do, if it's okay with you, is take a
3 brief break, and I'm just going to--to confer with
4 counsel for a few minutes, maybe five, ten
5 minutes, and then we'll come back and finish up.
6 I don't think we probably have a whole heck of a
7 lot more.

8 A. Okay.

9 Q. Unless you want to keep going all
10 afternoon.

11 A. Well, this is pretty fun but. . .

12 Q. Yeah, I know, I feel the same way. I
13 know Jim felt the same way last week, too.

14 (Recess taken.)

15 Mr. Cordova, we have no further
16 questions. Counsel, I don't know if you have any
17 clarifications

18 MR. SACKETT: I have no clarification
19 questions.

20 MR. THOMAS: Then thank you for your
21 time today.

22 THE WITNESS: Okay, thank you.

23 (Deposition concluded at 2:30 p.m.)
24
25



Thacker + Co LLC

Court Reporters

Utah's Leader in Litigation Support

Corporate Offices: 50 West Broadway, Suite 900, Salt Lake City, Utah 84101

801-983-2180

Toll Free: 877-441-2180

Fax: 801-983-2181

1
2 **CERTIFICATE**

3 This is to certify that the foregoing deposition was
4 taken before me, DAWN M. DAVIS, a Registered Professional
5 Reporter and Notary Public in and for the State of Utah;

6 That said witness was duly sworn to testify the
7 truth, the whole truth and nothing but the truth;

8 That the deposition was reported by me in stenotype
9 and thereafter caused by me to be transcribed into
10 typewriting, and that a full, true, and correct
11 transcription of said testimony so taken and transcribed
12 is set forth in the foregoing pages;

13 That no review of this deposition was requested by
14 either party or the witness and, therefore, pursuant to
15 Rule 30 (e) of the Utah Rules of Civil Procedure the
16 review was waived.

17 I further certify that I am not of kin or otherwise
18 associated with any of the parties to said cause and am
19 not interested in the event thereof.

20 *Dawn M. Davis*

21 Dawn M. Davis, RPR
22 My Commission Expires:
23 March 8, 2008

