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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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COMCAST CABLE COMMUNICATIONS, )  
INC., a Pennsylvania Corporation, )  
 )  
                                Claimant, )  
vs. )  
 )  
PACIFICORP, dba UTAH POWER , an )  
Oregon Corporation, )  
 )  
                                Respondent. )

**Docket No. 03-035-28**

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**REBUTTAL TESTIMONY**  
**OF**  
**RODNEY BELL**  
**COMCAST CABLE COMMUNICATIONS, LLC**

**July 14, 2004**

1 **Q: Could you please state your name?**

2 A: My name is Rodney Bell.

3 **Q: Have you reviewed the direct testimony PacifiCorp submitted in connection with**  
4 **Docket No. 03-035-28?**

5 A: Yes.

6 **Q: On page 18 of her direct testimony, Corey Fitz Gerald states that Comcast never**  
7 **questioned the accuracy of the 1997/1998 Audit. Why do you think that is?**

8 A: The best reason I can think of is that no one at Comcast (then TCI) knew that an audit  
9 was being conducted. I cannot recall ever hearing about this audit prior to this litigation  
10 and I am not aware of anyone else at Comcast who can recall hearing about the audit.  
11 To the extent PacifiCorp conducted the audit for the purposes it said it did, I am not  
12 aware of anyone at Comcast who can confirm that. Also, to my knowledge, PacifiCorp  
13 never sent Comcast the results of that audit.

14 **Q: Do you think that the audit results are accurate?**

15 A: I really have no way of knowing. The only information I have about the audit came  
16 from PacifiCorp in connection with this case. Since PacifiCorp has not provided any  
17 documentation of that audit, I have nothing to base an opinion on. What I do know is  
18 that since 1997/1998, Comcast has made relatively few new attachments.

1 **Q: At pages 30 and 31 of her testimony, Ms. Fitz Gerald alleges that Comcast has**  
2 **made 35,439 new attachments since the 1997/1998 audit. Is that possible?**

3 A: That's just not possible. Along an average road, there are approximately 35 poles per  
4 mile. If we assume that Comcast made 35,439 new attachments since 1997/1998,  
5 Comcast would have engaged in approximately 1,012 miles of new plant construction.  
6 This may not sound like a lot to the lay person, but in the cable industry, that is a  
7 massive project. By the mid-1990s, most of Comcast's systems were in place and there  
8 just wasn't that much plant left to build. I find it very difficult to believe that that much  
9 construction could have gone on without someone noticing.

10 **Q: In Brian Lund's testimony, he says that Comcast has instructed its contractors to**  
11 **install facilities as quickly as possible, without regard to safety. Is this correct?**

12 A: Absolutely not. It is difficult for me to respond to Mr. Lund's allegations because he  
13 does not say when these allegations were made, or by whom. As the Upgrade Project  
14 Managers, Tim Jackson, Lyndon Lauhingo and I are the only Comcast employees in a  
15 position to make such statements to contractors. I can state with absolute certainty that  
16 none of us have ever given the instructions Mr. Lund describes.

17 **Q: What are your instructions to Comcast's contractors?**

18 A: Tim and I always instruct the contractors that safety is the number one concern and that  
19 they must follow the applicable rules. Of course we instruct them to finish the work as  
20 quickly as possible, but never at the expense of safety or compliance with other rules.

1 **Q: On page 9 of James Coppedge's testimony, he alleges that Comcast has a 53%**  
2 **violation rate. Is this correct?**

3 A: It is impossible to tell without looking at the documents Mr. Coppedge relies on.  
4 However, I find that figure difficult to believe. Although Mr. Coppedge provided a  
5 chart describing how he derived the numbers, he does not provide any indication of the  
6 standards he used to determine whether Comcast was responsible for the violations. As  
7 I described in my direct testimony, PacifiCorp is holding Comcast responsible for  
8 violations that Comcast did not create. The mere fact that a violation exists on a pole  
9 does not mean that Comcast caused it or should be responsible for correcting it.

10 **Q: Do you have any other comments about the direct testimony PacifiCorp filed?**

11 A: Yes. First, on page 7 of her testimony, Ms. Fitz Gerald implies that changes in  
12 ownership have created a lot of confusion in Utah. I disagree. Although ownership has  
13 changed through the TCI/AT&T Broadband and AT&T Broadband/Comcast mergers,  
14 there has actually been a lot of continuity in the Utah systems because many of the same  
15 employees (like me) have stayed on through these changes.

16 Second, on page 4 of her testimony, Ms. Fitz Gerald implies that communications  
17 attachers generally attach to distribution poles. I am aware that Comcast attaches to a  
18 number of transmission poles in Utah as well.

1 **Q: Does this conclude your testimony?**

2 A: Yes.