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Submitted April 12, 2004

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

COMCAST CABLE COMMUNICATIONS, INC., a Pennsylvania Corporation,)	
)	
Claimant,)	
)	Docket No. 03 035 28
vs.)	
)	
PACIFICORP, dba UTAH POWER , an Oregon Corporation,)	COMCAST'S RESPONSES TO PACIFICORP'S FIRST SET OF REQUESTS FOR THE PRODUCTION OF DOCUMENTS
)	
Respondent.)	

Pursuant to Rule 34 of the Utah Rules of Civil Procedure, Claimant Comcast Cable Communications, LLC (“**Comcast**”), responds to Respondent PacifiCorp’s, dba Utah Power (“**PacifiCorp**”) First Set of Requests for the Production of Documents (the “Requests”) as follows:

GENERAL OBJECTIONS

1. Comcast objects to each Request to the extent it requires Comcast to provide information not within its possession, custody or control, or the possession, custody and control of any of its representatives, employees, agents or attorneys.

2. Comcast objects to each and every Request to the extent that the same seeks information protected by the right to privacy, the attorney-client privilege, the attorney-work product doctrine and/or any other applicable privilege or doctrine.

3. Comcast objects to the Requests to the extent that they purport to impose any obligations upon Comcast that exceed the obligations imposed by Rule 34 of the Utah Rules of Civil Procedure.

4. Comcast objects to the Requests on the ground that they are overly broad, unduly burdensome, and seek information that is neither relevant to the subject matter of this action, nor reasonably calculated to lead to the discovery of admissible evidence.

5. Comcast objects to the Requests to the extent they seek trade secrets or other confidential research, development, or commercial information. However, Comcast will, under the terms of the previously entered Protective Order, provide all of the requested material that is not immune, privileged, or otherwise protected from discovery.

6. In responding to these discovery requests, Comcast does not in any manner waive, or intend to waive, but rather intends to preserve and is preserving: (a) all objections as to competency, relevance, materiality and admissibility; (b) all rights to object on

any ground to the use of any of the responses herein in any proceeding, motion, hearing or the trial of this or any other action; and (c) all rights to object on any ground to further discovery requests involving or related to any of the Requests herein.

7. A republication or restatement, in whole or in part, of any one or more of the foregoing objections is not intended to waive any of the foregoing objections that are not restated. The foregoing objections are incorporated into all responses set forth below.

8. Many of PacifiCorp's document requests are duplicative of Request No. 1 which requests all documents identified in PacifiCorp's First Set of Interrogatories. Where applicable, Comcast incorporates its responses to PacifiCorp's First Set of Interrogatories, served on PacifiCorp concurrently.

RESPONSES TO REQUESTS FOR PRODUCTION

Request No. 1: Any and all documents requested to be identified in PacifiCorp's First Set of Interrogatories to Comcast ("Interrogatories"), any and all documents which are otherwise identified in your responses to said Interrogatories, and all documents consulted, examined, referred to, or relied on in connection with preparing your responses to said Interrogatories.

Response: Comcast objects to this Request on the grounds that it is vague, ambiguous, overly broad, and unduly burdensome. Subject to the foregoing objections, as well as the General Objections, Comcast will produce for inspection all responsive documents that are not immune, privileged, or otherwise protected from discovery, at a time mutually convenient to the parties.

Objection and answer prepared by Angela W. Adams, Esq.

Request No. 2: All documents that evidence, reflect, or refer to communications or conversations between and among any agents, representatives or employees of Comcast or its predecessors in interest, TCI and/or AT&T, regarding the negotiation of the Pole Contact Agreement entered into between AT&T and PacifiCorp on December 20, 1999.

Response: Comcast fully incorporates its response to Interrogatory No. 5.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 3: All documents that evidence, reflect, or refer to communications or conversations between and among any agents, representatives or employees of Comcast and/or its predecessor in interest, AT&T, regarding the negotiation of a new Pole Contact Agreement to replace the Agreement entered into between AT&T and PacifiCorp on December 20, 1999.

Response: Comcast fully incorporates its response to Interrogatory No. 6

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 4: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to policies or procedures implemented by Comcast to transition and/or trace its permitting authority as a result of its merger with AT&T, including but not limited to the attachment permits issued to its predecessors in interest, TCI and AT&T. The responsive documents should include but are not limited to the following: (a) documents outlining or describing methods to transition or trace Comcast's permitting authority; (b) the records relied upon to transition or trace Comcast's permitting authority; (c) any and all communications

regarding the transition or tracing of Comcast's permitting authority; and (d) any and all communications outlining Comcast's permitting authority.

Response: Comcast fully incorporates its response to Interrogatory No. 7.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 5: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to Comcast's processes and procedures to organize and manage its pole attachment permits to PacifiCorp's poles in Utah. The responsive documents should include but are not limited to the following: (a) instructions or guidance given to Comcast employees, representatives or agents regarding pole attachment permits; (b) document retention procedures regarding permit applications and permit approvals; (c) processes and procedures used to verify that permit applications have been granted prior to installation; (d) processes and procedures to obtain permission regarding easements and rights of way; (e) processes and procedures used to verify that prior permission regarding easements and rights of way have been obtained; (f) and timetables for attachment permitting in Utah.

Response: Comcast fully incorporates its response to Interrogatory No. 8.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 6: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the operations or field processes and procedures used by Comcast, its employees, agents and/or representatives, including but not limited to contractors and subcontractors, when

attaching or overlashing equipment to PacifiCorp's support structures in Utah. The responsive documents should include but are not limited to the following: (a) instructions given to each person attaching and overlashing equipment to PacifiCorp's support structures on behalf of Comcast; (b) processes and procedures for crews attaching and overlashing equipment to PacifiCorp's support structures; (c) processes and procedures used by operations and field personnel to ensure the proper permit approvals have been granted prior to installation; (d) maps or other guides used by operations or field personnel to locate structures or poles; (e) communications between operations and field personnel regarding attaching or overlashing equipment to PacifiCorp's support structures; (f) processes and procedures for inspections of PacifiCorp structures prior to installation; and (g) processes and procedures for safety inspections of attachments made to PacifiCorp structures after installation.

Response: Comcast fully incorporates its response to Interrogatory No. 9.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 7: For each and every attachment that PacifiCorp identified as an unauthorized attachment belonging to Comcast, and which Comcast alleges is inaccurate, provide copies of all documents that demonstrate that the attachment is either: (1) subject to a valid installation permit granted by PacifiCorp to Comcast, AT&T or any of their predecessors; (2) the personal property of an entity other than Comcast; or (3) does not exist.

Response: Comcast fully incorporates its response to Interrogatory No. 10.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 8: All documents that evidence, reflect, or refer to communications by any agents, representatives or employees of Comcast where Comcast provided evidence to PacifiCorp to demonstrate that an attachment is either: (1) subject to a valid installation permit granted by PacifiCorp to Comcast, AT&T or any of their predecessors; (2) the personal property of an entity other than Comcast; or (3) does not exist.

Response: Comcast incorporates fully its response to Request No. 12.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 9: All documents that evidence, reflect, or refer to Comcast's build-out and/or overbuild plans for the State of Utah.

Response: Comcast fully incorporates its response to Interrogatory No. 13.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 10: For each and every attachment that Comcast has installed on PacifiCorp's poles in the State of Utah since the initiation of this action, provide copies of all documents that demonstrate that the attachment is subject to a valid installation permit granted by PacifiCorp to Comcast.

Response: Comcast fully incorporates its response to Interrogatory No. 14.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 11: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Mastec and any agents, representatives or employees of Comcast with respect to the audit that was initiated

by Comcast to verify the results of PacifiCorp's 2003 Audit in Utah. The responsive documents should include but are not limited to the following: (a) instructions given to Mastec; (b) maps, facilities inspected, surveyed, and tabulated by Mastec; and (c) all data collected with respect to each support structure and each facility surveyed by Mastec.

Response: Comcast objects to this request to the extent it seeks documents not within the custody, control or possession of Comcast. Comcast further objects to the extent that it seeks documents subject to the attorney-client or work product privilege. Comcast also objects on the grounds that it is overly broad and unduly burdensome. Subject to the foregoing objections as well as the General Objections, Comcast fully incorporates its response to Interrogatory Nos. 15 and 16. Comcast will produce all responsive, relevant, non-privileged documents, if any, for inspection at a time mutually convenient to the parties.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 12: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the audit that was initiated by Comcast to verify the results of PacifiCorp's 2003 Audit in Utah.

Response: Comcast incorporates fully its response to Request No. 11.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 13: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the field processes and procedures used by Comcast or its agents to verify the results

of the 2003 Audit. The responsive documents should include but are not limited to the following: (a) instructions given to persons conducting the actual field inspections; (b) maps, facilities inspected, surveyed, and tabulated; and (c) all data collected with respect to each support structure and each facility surveyed.

Response: Comcast incorporates fully its response to Request No. 11.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 14: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to PacifiCorp's 30 day advance notices authored by James Coppedge advising Comcast of PacifiCorp's intent to begin the 2003 Audit in specific areas in Utah.

Response: Comcast incorporates fully its response to Interrogatory No. 18.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 15: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the results of PacifiCorp's 2003 Audit.

Response: Comcast objects to this request to the extent it seeks documents not within the custody, control or possession of Comcast. Comcast further objects to the extent that it seeks documents subject to the attorney-client or work product privilege. Comcast also objects on the grounds that it is overly broad and unduly burdensome. Subject to the foregoing objections as well as the General Objections, Comcast fully incorporates its response to Interrogatories Nos. 19 and 20.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 16: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the attachments that PacifiCorp identified as unauthorized attachments belonging to Comcast in Utah.

Response: Comcast fully incorporates Response 15.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 17: All documents that evidence, reflect or refer to communications between and among any agents, representatives or employees of Comcast and PacifiCorp regarding the negotiation of the Letter Agreement between Comcast and PacifiCorp dated September 8, 2003.

Response: Comcast fully incorporates its response to Interrogatory No. 21.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 18: All documents that evidence, reflect, or refer to communications between and among any agents, representatives or employees of Comcast with respect to the construction standards used by Comcast, its employees, agents and/or representatives, including but not limited to contractors and subcontractors, when attaching or overlashing equipment to PacifiCorp's support structures in Utah. The responsive documents should include but are not limited to the following: (a) instructions given to each person attaching and overlashing equipment to PacifiCorp's support structures on behalf of Comcast;

and (b) processes and procedures for crews attaching and overlashing equipment to PacifiCorp's support structures.

Response: Comcast fully incorporates its response to Interrogatory No. 27.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 19: All documents that evidence, reflect or refer to the safety standards, instructions, guidelines used by Comcast, its employees, agents and/or representatives, including but not limited to contractors and subcontractors, when attaching or overlashing equipment to PacifiCorp's support structures in Utah. The responsive documents should included but are not limited to the following: (a) any safety instructions, guidelines or standards given to each person attaching and overlashing equipment to PacifiCorp's support structures on behalf of Comcast; (b) processes and procedures for crews attaching and overlashing equipment to PacifiCorp's support structures; (c) processes and procedures for inspections of PacifiCorp structures prior to installation; (d) processes and procedures for safety inspections of attachments made to PacifiCorp structures after installation; and (e) any safety records maintained by Comcast.

Response: Comcast fully incorporates its response to Interrogatory No. 28.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 20: All documents that evidence, reflect, or refer to Comcast's cable modem service build-out and/or overbuild plans for the State of Utah.

Response: Comcast fully incorporates its response to Interrogatory No. 25.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 21: All documents that evidence, reflect or refer to the employee qualifications used by Comcast in hiring or designating employees, agents and/or representatives, including but not limited to contractors and subcontractors, who will be responsible for attaching or overlashing equipment to PacifiCorp's support structures in Utah.

Response: Comcast fully incorporates its response to Interrogatory No. 29.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Request No. 22: All documents provided to or reviewed by any expert witness retained by you.

Response: Comcast, as of April 12, 2004, has not retained any experts in connection with this dispute.

Objection and answer prepared by Angela W. Adams, Esq. and Genevieve D. Sapir, Esq.

Dated: April 12, 2004.

COMCAST CABLE COMMUNICATIONS, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April, 2004, a true and correct copy of Comcast's Responses To PacifiCorp's First Set Of Requests For The Production Of Documents was served on the following parties via electronic mail and FedEx:

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