

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

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Petition of Verizon New York Inc. for Limited  
Orders of Entry for 39 Multiple-Dwelling Unit  
Buildings in the City of New York  
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Case No. 14-01349

**DECLARATION OF DENIS MULLARKEY**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF QUEENS     )

**Denis Mullarkey**, being duly sworn states the following:

1. I am the owner of Denis P. Mullarkey, LLC (“Mullarkey LLC”) which owns the property located at 89-21 169 Street in Queens, New York. On behalf of Mullarkey LLC, I submit this declaration opposing Verizon’s petition for limited access to this property since they have failed to properly repair or reimburse me for prior damages and insufficiencies during previous installations and surveys. The reasons for this opposition are set forth below.

**Facts**

2. I received a letter dated June 12, 2013 from Verizon notifying Mullarkey LLC that Verizon would be installing/upgrading the cable television facilities and service, and that an inspection survey was necessary. (Exhibit A).
3. On June 19, 2013, I wrote to this Commission (with a copy to Verizon) opposing Verizon’s access to my properties for many reasons. (Exhibit B), Specifically, Verizon had previously performed work, failing to clean up their work area which caused damage and created unsafe areas by leaving scraps, wires and nails exposed on the property, and

also failed to repair or clean the property or compensate Mullarkey LLC for the damage caused. Verizon's poor workmanship has included:

- Installing new binding posts without removing the old binding posts
- Leaving doors to binding post doors open which leaves the wires exposed to tenants including children and elderly tenants
- Leaving old wires sticking out of old binding post boxes causing an unsafe environment for tenants and an aesthetically undesirable living space
- Moving telephone pole to a different location on the side walk and failing to properly fill in the hole where the old pole was located

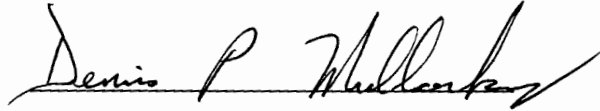
4. I estimate that the damage to the Building is valued at approximately \$2,000.
5. Again, on April 1, 2014, Mullarkey LLC was sent another such notice from Verizon. (Exhibit C).
6. On April 15, 2014, I wrote a letter to Verizon explaining my previous issues that Mullarkey LLC had not been paid any compensation for the prior damage, and as such, I would not permit Verizon into the building until these issues were resolved. (Exhibit D). Pictures of such issues are also attached hereto. (Exhibit E).
7. Thereafter, on or about July 12, 2014 I received the Petition for Limited Orders of Entry filed by Verizon with the New York Public Service Commission.

### **Position**

8. I am willing to grant Verizon access to the property once they clean the prior work area and compensate Mullarkey LLC for the prior damage which it caused, and make some kind of compensation acceptable to both parties for letting Verizon run its wires into the building, (from the rear of the building) and running wires through 6 different hallways, by defacing the walls on the inside of each floor.

9. Everything I have affirmed in this declaration is true to my best knowledge and/or belief and I state that I have agreed to provide this declaration as prepared by my own free will, without coercion.

Dated: New York, NY  
July 30, 2014

A handwritten signature in cursive script, reading "Denis P. Mullarkey", written over a horizontal line.

DENIS MULLARKEY