

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350  
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August 21, 2008

Donald J. Talka  
Senior Vice President Chief Engineer  
Underwriters Laboratories Inc.  
1285 Walt Whitman Road  
Melville, New York 11747-3081

Dear Mr. Talka,

The staff of the Department of Public Service is considering the grounding and bonding matters presented by Verizon New York Inc.'s (Verizon's) fiber-to-the premises service, offered under the brand name FiOS. We carefully reviewed the National Electrical Code, letters from the manufacturers of various fiber electronic devices and optical network terminals (ONTs), installation instructions affixed to the equipment, and Verizon's methods and procedures for installing the devices (attached).

Verizon and the staff differ on the appropriate interpretation of the code and request Underwriters Laboratories Inc. (UL) conduct an appropriate evaluation of the following question and provide to the Department a written analysis of its findings:

We request UL provide analysis and conduct any appropriate testing to determine if the grounding options 1) and 2) below, described more fully in the attached M&Ps, provide a means of grounding/bonding a fiber-to-the-premises system. The grounding would be inclusive of any attached devices, cables, installation, methods of application, and expected uses, where the Optical Network Terminal and all attached devices and cables are installed wholly within either a single-family unit or multiple dwelling unit. The question is whether either of the grounding methods listed below are compliant with the NEC or offer an equivalent level of protection:

1. A "three-prong" electrical cord built into the ONT, plugged into a grounded AC outlet or
2. A TII-442 Signal Grounding Module plugged into a grounded AC outlet that includes a 10 AWG equipment grounding conductor run from the grounding lug of the TII-442 to the grounding lug of the ONT.

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The conditions of use and application of the devices as per the attached M&Ps would be for the grounding/bonding of the Optical Network Terminal (ONT) equipment and all telecommunications or coaxial cables, television receiving equipment, and other devices that may be expected to be attached to them in a system, with special consideration being given to coaxial cables that are used only within the confines of an SFU or MDU that might house the ONT.

Given the public safety responsibilities of the Department and the important business interests of Verizon, we request a quick assessment of the situation. UL will be able to conduct field evaluations of systems that have been installed in accordance with Verizon's M&Ps.

Verizon has agreed to compensate UL for the costs involved; however, the overall evaluation is to be conducted on behalf of the Department acting in its role as the authority having jurisdiction. It is our objective to complete this review as soon as possible, but no later than September 22, 2008.

Please provide a response to this request as soon as possible detailing UL's willingness and ability to perform the evaluation within the constraints described above.

In order to diminish the possibility that parties to the Commission proceeding might question the independence of the analysis and findings, all requests for information or communications should be through Chad Hume of the staff (518.474-1939). I request that the UL analysis represent that as of the date of this letter UL has not communicated with Verizon on this matter except with notice to the Department. Also, I ask that the analysis state whether Verizon has asked UL for any similar opinion.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter McGowan", written over a horizontal line.

Peter McGowan  
Acting General Counsel