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COMMONWEALTH OF VIRGINIA
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JEFFREY C. MCKAY
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Board Matter

June 30, 2008

Mr. Chairman—Imagine looking out your window and seeing workers without identification using your yard as a trash dump. Imagine watching a worker—again unidentified—standing in several inches of water in a hole he’s just jack hammered in the VDOT right of way during a thunderstorm. Imagine trying to communicate with these unidentified individuals and discovering that they do not speak a word of English.

For the past several weeks, it seems like every other call to my office is a complaint of this nature, directly associated with the FIOS implementation performed by Verizon and its subcontractors. The complaints range from lack of the required prior notification, no supervisor with sufficient language skills, rude workers, no documentation of required easements on site, no identification on vehicles or clothing as required to indicate that the workers are affiliated with Verizon, unsafe construction conditions, and failure to restore homeowner’s property to its before-digging condition.

This is not a one-time event but a clear pattern of irresponsibility and unaccountability. Supervisor Gross’ September 13, 2004 board matter referenced similar issues. A story in the October 19, 2005 Washington Post entitled “Utilities Cry Foul Over Verizon Dig” reported on continuing problems with Verizon and mentioned a Verizon subcontractor, Ivy H. Smith Co. of Herndon. Apparently, the fact that this subcontractor has received substantial fines and penalties hasn’t deterred Verizon from continuing to use them.

Our office of Communications Policy and Regulation in the Office of Consumer Protection has been working with Verizon on this latest issue. Verizon has accepted responsibility for these latest problems and has agreed to put some internal compliance audits of its subcontractors in place. This said, Fairfax County has very limited regulatory authority over utilities and communications companies. Without greater power of oversight and regulation, we will continue to be in reactive mode. Citizens don’t want to hear that our hands are tied by the state.

Therefore, I ask Board support to have our Communications Policy and Regulation Division prepare recommendations for the Board on how to hold Verizon responsible so

that our homeowners do not continue to suffer the consequences of a utility company running ram shod through our neighborhoods. The recommendations should be forwarded to our Legislative Subcommittee for review and consideration of being adding to our upcoming Legislative Package.